

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 07.06.2017

CORAM:

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THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN**C.R.P. (MD) No.1067 of 2017****and****C.M.P. (MD) . No.4753 of 2017**

Palanidurai

..Petitioner/Petitioner/Plaintiff

Vs.

Chandra

..Respondent/Respondent/Defendant

Prayer: This Civil Revision Petition is filed under Section 227 of Constitution of India praying to set aside the order and decreetal order dated 19.04.2017 made in I.A.No.151 of 2016 in O.S.No.124 of 2013 on the file of the Additional Subordinate Court, Kumbakonam and allow this Civil Revision Petition.

For Petitioner : Mr.G.Gomathi Sankar

O R D E R

The Civil Revision Petition has been filed against the fair and decreetal order 19.04.2017 made in I.A.No.151 of 2016 in O.S.No.124 of 2013 on the file of the Additional Subordinate Court, Kumbakonam.

2.This Revision petitioner is the plaintiff in the suit. After completion of examination of witnesses and when the matter was posted for argument, the revision petitioner has taken out an application to implead one G.Murugaraj, alleging that he has purchased the suit property pending suit and therefore, he is a just and necessary party in the suit.

3.The main suit is for partition on the ground that the revision petitioner is the adopted son of one late.Kaliyamoorthy. The fact of adoption is denied by the defendant and that is the main subject matter of the suit. It is admitted by the defendant that she has alienated the property on her own right to one Murugaraaj.



4.The Trial Court has held that any transaction pending suit is always subject to the out come of the suit and there is no necessity to implead the purchaser pendenlite. This Court finds no reason to interfere in the said observation.

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5.Accordingly, the Civil Revision Petition is dismissed. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

The Additional Subordinate Judge,
Additional Subordinate Court,
Kumbakonam.

+1cc to M/S. G.GOMATHI SANKAR, Advocate, SR.No.58941.

C.R.P(PD) (MD)No.1067 of 2017
and
C.M.P. (MD) . No.4753 of 2017
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SDS/SKN:RSK/SAR 3/16.06.2017/2P/3C