



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

WEB COPY

C.R.P (PD) (MD) Nos.1140 & 1141 of 2017

and

C.M.P. (MD) No.5214 of 2017

P.Selin Mary

...Petitioner both C.R.Ps.

-vs-

1.Dr.Sidhardhan

2.Selvaraj

...Respondents both C.R.Ps.

**COMMON PRAYER:** Civil Revision Petitions are filed, under Article 227 of the Constitution of India, to set aside the fair and decretal order dated 20.03.2017 passed in I.A.No.106 of 2016 in O.S.No.104 of 2013 and I.A.No.107 of 2016 in I.A.No.480 of 2013 in O.S.No.104 of 2013 respectively, on the file of the District Court, Kanyakumari District at Nagercoil.

For Petitioner : Mr.R.Murugan  
in both cases

For Respondent : Mr.K.Prabhu,  
in both cases For M/s.Isaac Chambers

### **ORDER**

By consent of both parties, these Civil Revision Petitions are taken up for final disposal.

2.The suit has been laid by the first respondent for declaration and permanent injunction.

3.Pending suit, it is found the revision petitioner claiming that she has purchased the property involved in the suit and therefore contending that for effective and complete adjudication of the issues involved in the suit, she should also be heard, therefore she sought to be impleaded as the second defendant / respondent by filing I.A.No.106 of 2016 and I.A.No.107 of 2016.

4.The said application being resisted by the first respondent/plaintiff, the Court below on finding that the application preferred by the petitioner is nothing but an attempt to delay the proceedings and the purchase fit by the principle of *lis pendens*, declined the request and resultantly, dismissed the applications. Challenging the same, the present revision petitions have been preferred.



5.Considering the fact that the petitioner has purchased the property and the said fact is also not in dispute, in my considered opinion, the petitioner is a proper and necessary party for the complete and effectual adjudication of the issues involved in the matter. Hence, it is found that the impleading petitions preferred by the petitioner deserve acceptance. Consequently, the impugned orders are set aside.

6.In the light of the above reasons, these Civil Revisions Petitions are allowed. No costs.

Sd/-

Assistant Registrar(crl side)

/True Copy/

Sub Assistant Registrar

To

The District Judge,  
Kanyakumari District, Nagercoil.

+2cc to M/s.Isaac Chambers, Sr.No.70424 & 70423

+1cc to Mr.R.Murugan, Advocate Sr.No.69984

MYR

VB/SKN/SAR1/24.08.2017/2P/5C

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