



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2017

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

WEB COPY

C.R.P (MD) No.981 of 2017

and

C.M.P. (MD) No.4366 of 2017

1.Anitha
2.Kanishiya

.. Petitioners

Vs.

1.Kannan
2.Amala

.. Respondents

Prayer: This Civil Revision Petition is filed under Section 227 of the Constitution of India to set aside the fair and decretal order dated 05.03.2016 in I.A.No.1016 of 2015 in O.S.No.115 of 2013 on the file of the District Munisf, Srivaikundam and allow the Civil Revision Petition.

For Petitioner : Mr.S.Senthil Sankara Nathakumar

ORDER

The revision petitioner herein aggrieved by the order passed by the Trial Court in Order 1 Rule 10 (2) of the Code of Civil Procedure, has preferred this revision petition.

2.The case of the revision petitioner is that they must be impleaded in the suit filed for specific performance, since, they have some share in the suit schedule property. The plaintiff had entered into an agreement for the entire suit property with the first defendant. The Trial Court, rightly observed that if at all the revision petitioner has right over the suit property, it is open to them to institute suit to ascertain and establish a title over the property. This Court finds no illegality in the order passed by the Trial Court.

3.Hence, this Civil Revision Petition is dismissed. No costs. Consequently, the connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar (Writs)

/True copy/

Sub Assistant Registrar



To
The District Munisf,
Srivaikundam.

+1 CC to M/s.S.SENTHIL SANKARANATHAKUMAR, Advocate, SR No. 55479.

PSD/MR

PSM/JC/SAR2/04.07.2017/2P/3C

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