

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

C.R.P.No.2144 of 2016

ORDER:

This Civil Revision Petition is filed under Article 227 of the Constitution of India by the petitioners/plaintiffs challenging the order dated 17.03.2016 in I.A.No.87 of 2016 in O.S.No.72 of 2009 passed by the Principal District Judge, Medak at Sanga Reddy whereby the trial Court allowed the petition filed under Order 22 Rule 3 of the Code of Civil Procedure (for short 'C.P.C.') to bring the proposed parties/respondents 1 to 3 as plaintiffs in the suit as legal representatives of the deceased plaintiff No.1.

The main contention of the learned counsel for the petitioners is that the proposed parties cannot come on record as plaintiffs, but they can come on record as defendants as there is adverse interest against the petitioners.

However, during arguments, learned counsel for the respondents gave consent to permit the petitioners/respondents herein to bring the proposed parties/respondents 1 to 3 as defendants to the suit as legal representatives of the deceased plaintiff No.1 and they are at liberty to raise any legal pleas available to them including to file written statement and claiming right over the property by way of counter claim, if advised.

Acceding the request of the respondents and without touching the merits of the petition, by consent of both parties, the civil revision petition is disposed of permitting the petitioners herein to

add the proposed parties/respondents 1 to 3 as defendants in the suit as legal representatives of the deceased plaintiff No.1 leaving it open to raise any plea regarding the entitlement to claim any right and they are at liberty to raise any legal pleas available to them including filing written statement and claiming right over the property by way of counter claim, if advised. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in the criminal petition, shall stand closed.

Date: 14.06.2017
kvrn

M. SATYANARAYANA MURTHY J

