

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

CRP.No.2708 of 2017

Date:16.6.2017

Between:

Attili Appalaswamy,
S/o Late A.P.V.Murthy

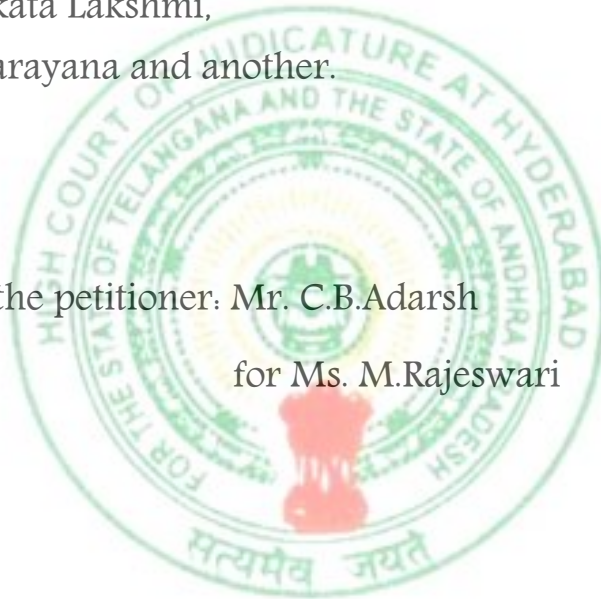
..... Petitioner

And:

Patnala Venkata Lakshmi,
W/o Suryanarayana and another.

.....Respondents

Counsel for the petitioner: Mr. C.B.Adarsh
for Ms. M.Rajeswari



The Court made the following:

ORDER.

This Civil Revision Petition arises out of order and decree, dated 29.12.2016, in IA.No.132 of 2016 in O.S.No.102 of 2016 on the file of the learned II Additional Junior Civil Judge, Visakhapatnam.

The petitioner is a third party to the afore-mentioned suit, which was filed by respondent No.1 against respondent No.2 for permanent injunction. He filed the above-mentioned IA for his impleadment, which was dismissed and in my view rightly by the lower Court. The relief of injunction being one in *personam* i.e., it operates only against the party who suffers the decree, it is wholly unnecessary for the petitioner to get himself impleaded in such a suit. While his non-impleadment does not in any way affect his interests, conversely, if he is impleaded and in the event of a decree being passed, he will be bound by such a decree. If the petitioner has any apprehension of his rights being affected in the guise of a decree that may be obtained by respondent No.1, he shall always be free to avail appropriate remedy available in law to protect the property claimed by him.

Subject to the liberty given to the petitioner as above, the Civil Revision Petition is dismissed.

As a sequel to dismissal of the Revision Petition,
CRPMP.No.3568 of 2017 filed by the petitioner for interim relief
is dismissed as infructuous.

JUSTICE C.V.NAGARJUNA REDDY

16th June 2017

DR

