

**HON'BLE SRI JUSTICE A. SHANKAR NARAYANA**

**CIVIL REVISION PETITION No.6726 OF 2017**

**ORDER:**

The present Civil Revision Petition is filed by the proposed respondent No.9, questioning the order, dated 24.07.2017, in I.A. No.341 of 2015 in O.S. No.14 of 2004, passed by the learned Senior Civil Judge at Rajam, allowing the said application filed under Order I, Rule 10 of the Code of Civil Procedure, 1908, permitting respondent No.1 herein, who is petitioner - plaintiff to implead the revision petitioner herein along with other respondents in the interlocutory applications and the main suit.

2. Heard Sri Jayanti S.C. Sekhar, learned counsel for the revision petitioner, and the matter is disposed of at the admission stage itself.

3. Admittedly, the revision petitioner was a dealer and is a lessor for a period of 22 years under a registered lease deed in 2006. The learned counsel's main submission is, that the petitioner is not a necessary party as he does not have any interest in the suit property and, in fact, only in 12 cents of land, the Fuel Station was erected installing Petrol Pump, that too with the sanction of the Central Government and the concerned Agent/Dealer.

4. It is no doubt true, as contended by the learned counsel that, the revision petitioner, in fact, entered into lease agreement even prior to alienating the suit property in favour of respondent No.1 - plaintiff. But, when the very same lease is in currency and 12 cents of land is part and parcel or integral part of the subject matter of the suit and when possessory right is conferred on the revision petitioner herein, it cannot be said that he is not a necessary party. It is not clear whether the consent of the revision petitioner was obtained prior to sale by the lessor in favour of respondent No.1 herein. Option is left to the revision petitioner whether he inclines to contest the suit or otherwise. There is no error in the order passed by the learned trial Court.

5. Thus, the present Civil Revision Petition is dismissed for want of merit, confirming the order under challenge passed by the learned trial Court.

As a sequel thereto, miscellaneous petitions, if any, pending in the present revision, stand closed.

---

**A. SHANKAR NARAYANA, J**

**December 15, 2017.**

Mgr