

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.06.2018

CORAM

THE HONOURABLE MR. JUSTICE **M.M.SUNDRESH**

C.R.P. (NPD) No.1836 of 2018

and

C.M.P.No.10377 of 2018

1.P.Subramani
2.G.Ramachandran

.. Petitioners

Vs.

T.M.Sampath (died)

1.T.S.Srinivasan
2.T.S.Balaji
3.Bale Pandian @ Sellapandian
4.Vedammal

.. Respondents

Civil Revision Petition filed under Section 115 of Code of Civil Procedure against the fair and decretal order dated 27.04.2018 made in E.A.No.211 of 2014 in E.P.No.22 of 2007 in O.S.No.29 of 2000 on the file of the District Munsif Court, Thiruvottiyur.

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For Petitioners .. Mr.S.P.Sudalaiyandi

ORDER

The petitioners are defendants in the suit filed for specific performance. An application was filed in E.A.No.211 of 2014 in E.P.No.22 of 2007 seeking to implead the legal representatives of the deceased decree holder/plaintiff. This application was allowed and hence the present civil revision petition.

2.Learned counsel appearing for the petitioners would submit that the order requires to be interfered with since there was no material to substantiate the relationship with the deceased decree holder/plaintiff. He would further submit that on an earlier occasion, more number of persons were shown as legal representatives as against the present one.

3.This Court does not find any merit in this petition. Even in the counter affidavit filed in the impleading application, in para 3, the petitioners have clearly stated that the deceased decree holder T.M.Sampath is the father of respondents 1 and 2. Consequently, the Trial Court has observed that what was argued before it was on merit. The subsequent registered partition deed which has given the exclusive right over the suit property in favour of respondents 1 and 2

was also not seriously disputed or questioned. Thus, this Court does not find any merit in this civil revision petition and the same stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

22.06.2018

Index:Yes/No
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To

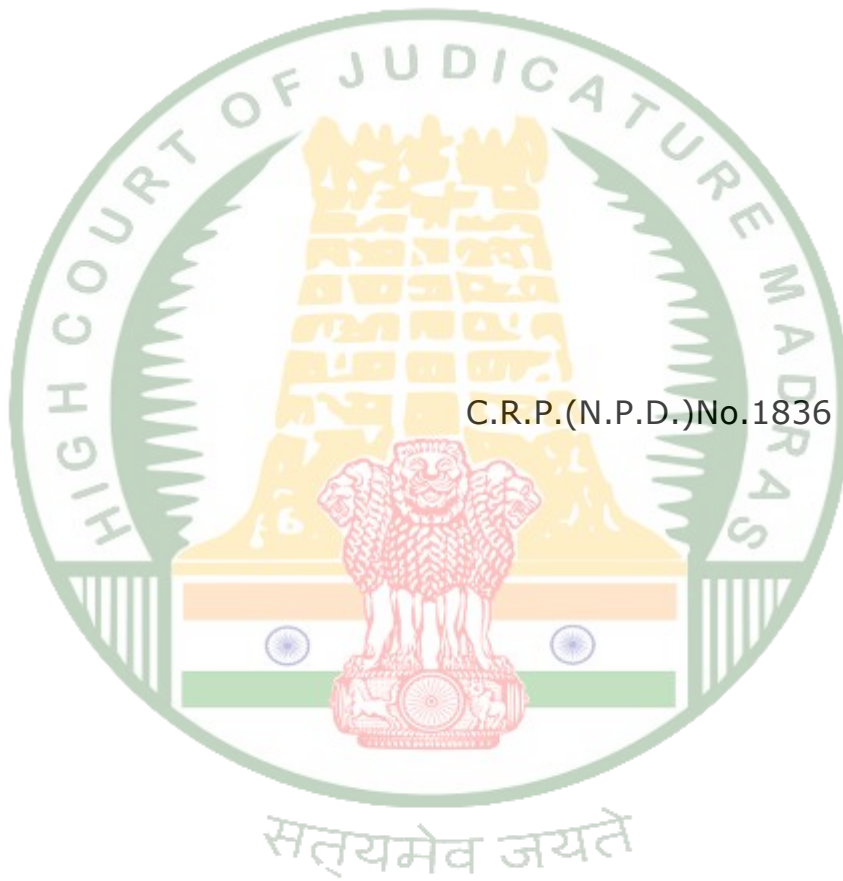
The District Munsif Court,
Thiruvottiyur.



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M.M.SUNDRESH, J.

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