

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :04.12.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

C.R.P. (NPD) Nos. 3692 & 3693 of 2018

and

C.M.P. No. 20551 of 2018

Shanmugam

...Petitioner in all CRPs

Vs

Alagirisamy (Died)

1. Rukmani

2. Kamala

3. Saroja

4. Eswari

5. Arumugam

6. Ganesan

7. Paramasivam

8. Duraisamy

...Respondents in all CRPs

Common Prayer: Civil Revision Petitions filed under Section 115 of Civil Procedure Code to set aside the Order dated 23.08.2018 in Un-numbered E.A.No. of 2018 in E.P.No.16 of 2018 in O.S.No.315 of 1995 passed by the learned District Munsiff, Palladam.

For Petitioner : Mr.L.Mouli
in all CRPs

COMMON ORDER

The petitioner herein is the third party to the suit proceedings. The Court below had rejected the petitioner's un-numbered application filed under Section 47 of Civil Procedure Code stating that he is a purchaser pendente lite and therefore, he is not entitled to invoke Section 47 of Civil Procedure Code.

2. I do not find any infirmity in such a finding. Since the petitioner was not a party in the suit proceedings, he may not be entitled to file the present application under Section 47 of Civil Procedure Code and as such, the Execution Court had rightly rejected his application. Hence, no interference is required to the impugned order.

3. Accordingly, the Civil Revision Petitions stand dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

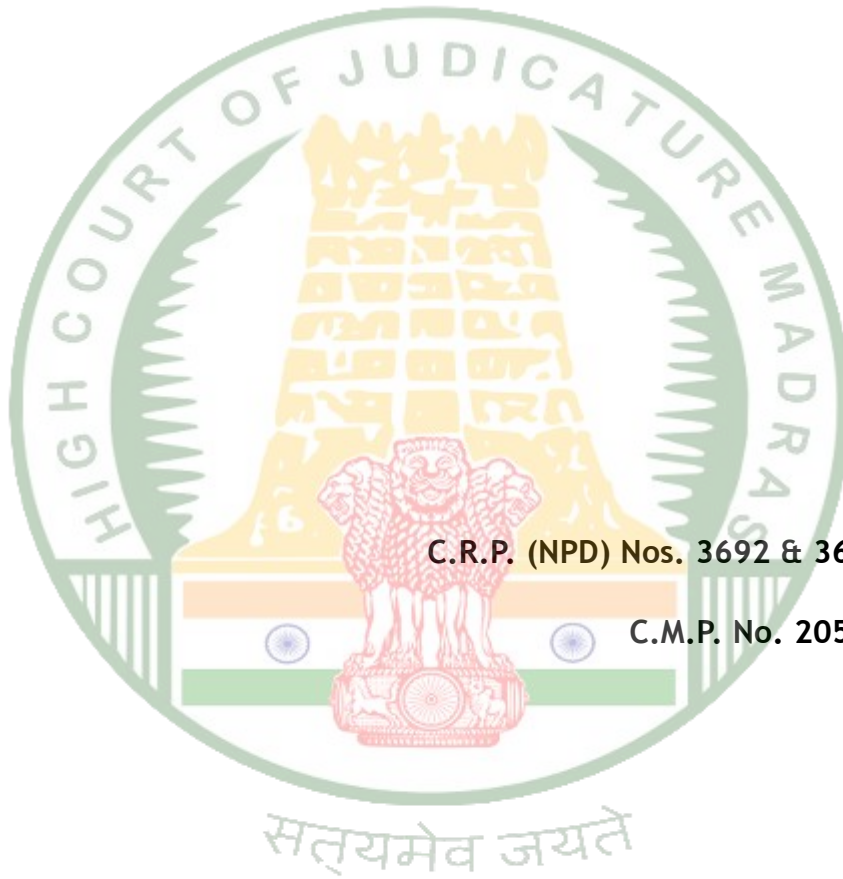
04.12.2018

Index:Yes/No

Speaking order: Yes/No

M.S.RAMESH.,J

arb/hvk



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