



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 17.09.2018

CORAM:

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (PD) (MD) .No.1308 of 2018
and
C.M.P. (MD) Nos.5568 and 6365 of 2018

Marimuthu ... Petitioner/Petitioner/Proposed 2nd
defendant

Vs.

1.M.Jeyanthi ... 1st Respondent/1st Respondent
/Plaintiff

2.M.Vengadesan ... 2nd Respondent/2nd Respondent/2nd
Defendant

PRAYER : Petition filed under Article 227 of Constitution of India, to set aside the fair and decreetal order passed in I.A.No.119 of 2016 in O.S.No.484 of 2014 dated 16.02.2018 on the file of Additional District Munsif Court, Dindigul and allow this Civil Revision Petition.

For petitioners : Mr.S.Vijayakumar
For R1 : Mr.G.Prabhu Rajadurai
For R2 : No appearance

ORDER

The first respondent herein filed O.S.No.484 of 2014 on the file of the Additional District Munsif Court, Dindigul for directing the second respondent herein to hand over possession of the suit property to her. In the said suit, the revision petitioner herein filed I.A.No.119 of 2016 for impleading himself. The said I.A., was dismissed on 16.02.2018 by the Court below. Challenging the same, this Civil Revision Petition has been filed.

2.As rightly observed by the Court below, the suit filed by the first respondent is one for possession claiming that she is the landlady and that the second respondent herein is the tenant. The defence of the second respondent is that he is not in arrears. In such a case, the presence of the petitioner who though the father, is absolutely unnecessary. The reason given by the Court below is perfectly sound and acceptable. No case is made out for interference.



3. Accordingly, this Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are also closed.

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Sd/

Assistant Registrar (ADI)

/True Copy/

Sub Assistant Registrar (CS-IV)

To

1. Additional District Munsif Court,
Dindigul.
2. Record Keeper,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

+1 cc to Mr. G. Prabhu Rajadurai, Advocate, SR.No. 84951

+1 cc to Mr. S. Vijayakumar, Advocate, SR.No. 84942

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SS/PM/SAR 4/12.12.2018/2P/6C

ORDER MADE IN
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and
C.M.P. (MD) Nos.5568 and 6365 of 2018
17.09.2018