



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.08.2018

CORAM:

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

WEB COPY

C.R.P.(PD)(MD)Nos.1077 and 1078 of 2016

and

C.M.P.(MD)No.5355 of 2018

in

C.R.P.(PD)(MD)No.1078 of 2016

Chanthiresan

Through its power Agent

Anbuchelian.

... Petitioner/Petitioner/3<sup>rd</sup> Party  
in both C.R.Ps.

-vs-

1.M/s.Kuttam Cholar Power Project

Through its owner of

P.Shanmuga Ananth

... 1<sup>st</sup> Respondent / 1<sup>st</sup> Respondent  
/ Plaintiff

2.Rajeswari

3.Kumaresan

4.Suyamburaj marthandam

... Respondents 2 to 4/  
Respondents 2 to 4 / Defendants  
in both C.R.Ps.

COMMON PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India praying to set aside the fair and decreetal order dated 02.02.2016 passed in I.A.Nos.1976 and 1977 of 2015 respectively in O.S.No.6 of 2013 on the file of the Principal District Munsif, Valliyoor.

For Petitioner : Mr.K.Sudalaiyandi

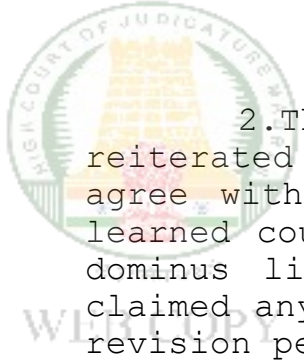
For R1 : Mr.H.Arumugam

For R2 and R3 : Mr.K.Karthick

(In both Civil Revision Petitions)

**COMMON ORDER**

The first respondent herein instituted O.S.No.6 of 2013 on the file of the learned Principal District Munsif, Valliyoor. It was a suit for injunction. It appears that during the pendency of the suit, the revision petitioner herein purchased the suit property. He wanted to get himself impleaded. He therefore, filed I.A.No.1976 of 2015 for recognising the power of attorney and I.A.No.1977 of 2015 for getting himself impleaded as fourth defendant in the suit. I.A.Nos.1976 and 1977 of 2015 were dismissed by the Court below. The correctness of the said order is under challenge in these Civil Revision Petitions.



2.The learned counsel appearing for the revision petitioner reiterated the contentions raised in the grounds. I am unable to agree with the said submissions. As rightly pointed out by the learned counsel for the first respondent / plaintiff, he being the dominus litus need not sue the parties against whom he has not claimed any relief. Therefore, since no relief claimed against the revision petitioner, the Court below was justified in dismissing the said I.A.Nos.1976 and 1977 of 2015 filed by the revision petitioner. The reasons assigned by the Court below are definitely sound and acceptable.

3.Finding no merits, these Civil Revision Petitions are dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Crl.Side)

/True Copy/

Sub Assistant Registrar (CS-III)

To

1.The Principal District Munsif,  
Valliyoar.

2.The Record Keeper,  
VR.Section,  
Madurai Bench of Madras High Court,  
Madurai.(2 COPIES)

+1CC TO MR.K.SUDALAIYANDI, ADVOCATE IN SR.No.78072.

+1CC TO MR.K.KARTHICK, ADVOCATE IN SR.No.78261.

+1CC TO MR.H.ARUMUGAM, ADVOCATE IN SR.No.78373.

MYR

DS RSK SAR-3 ;03.09.2018; 2P/7C

C.R.P.(PD) (MD)Nos.1077 and 1078 of 2016  
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