



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 10.09.2018

CORAM:

THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

C.R.P. (MD) (PD) .No.1080 of 2016

and

CMP (MD) .No.5384 of 2016

D.Nagarajan

...Petitioner/Petitioner/Proposed Party

Vs.

1.A.Palaniappan

2.A.James ... Respondents 1 & 2/Respondents 1 & 2/Plaintiffs

3.Chinthamani ... 3rd Respondent/3rd Respondent/3rd Defendant

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the executable order and the fair order dated 15.04.2016 made in I.A.No.439 of 2013 in O.S.No.78 of 2013 on the file of the Additional District Munsif, Dindigul by allowing the revision petition.

For Petitioner : Mr.A.R.Sethupathy

For R1 : Dismissed

Vide Order dated 12.07.2018

For R2 & R3 : No appearance

ORDER

The revision petitioner wants to implead himself in O.S.No.78 of 2013 on the file of the Additional District Munsif Court, Dindigul. The said suit was filed by the respondents 1 and 2 herein against the third respondent seeking the relief of declaration and permanent injunction. The mother of the revision petitioner has purchased the property from the third respondent herein. Therefore, the petitioner herein does have an interest in the subject matter of the suit. It appears that the revision petitioner had earlier filed the suit against the third respondent herein and the same was also decreed and that is pending at the second appeal stage.

2.Be that as it may, since substantial right of the revision petitioner is involved, it is absolutely necessary to implead him for effective adjudication of the issue raised in the suit.

3.Therefore, the impugned order in this Civil Revision



Petition is set aside and this Civil Revision Petition is allowed.
No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(Writs)

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/TRUE COPY/

Sub Assistant Registrar(CS-I)

To

1.The Additional District Munsif, Dindigul.

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

+1. C.C. to M/S.T.R.SUBRAMANIAN, Advocate SR.No. 83205

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RMK

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