



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 07.08.2018
CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (MD) No.26 of 2016
and
C.M.P. (MD) .No.117 of 2016

Subramanian

.. Petitioner / Petitioner / Plaintiff

Vs.

1.Velu Konar

2.V.Muthulakshmi

3.Mariappan

... Respondents 1to3 /
Respondents 1to3/Defendants 1to3

4.Gopal

5.Mariappan

6.Radhakrishnan

7.Maria Anthony

8.Rajaram

9.Ramanujam

10.Kirushnan

11.Thangam

12.Krishnaveni

.. Respondents 4 to 12 /
Respondents 4 to 12 /
Proposed Defendants 4 to 12

13.M.V.M.Veeravelmurugan

.. 13th Respondent

(13th respondent impleaded vide Court
order dated 29.02.2016 made in M.P.(MD).
No.771/2016 in CRP.(MD).No.26 /2016 by
VMVJ)

PRAYER : Civil Revision Petition filed under Article 227 of the
Constitution of India, against the fair and decretal order passed in
I.a.No.124 of 2015 in O.S.No.121 of 2010 dated 12.09.2015 on the
file of the Principal District Munsif Court, Ambasamudram.

For Petitioner : Mr.K.Vamanan
For Respondents 1 to 3 : Mr.V.Sasikumar
For Respondent No.13 : Mr.M.Veilkaniraj

ORDER

The plaintiff in O.S.No.121 of 2010 on the file of the Principal District Munsif Court, Ambasamudram, is the revision petitioner herein. The suit was filed for getting the relief of permanent injunction against the defendants 1 to 3. During the pendency of the suit, portions of the suit property have been alienated in favour of the proposed defendants. In order to implead them, the plaintiff filed I.A.No.124 of 2015. The same was dismissed by order, dated 12.09.2015. The said order of dismissal is under challenge in this civil revision petition.

2. Heard the learned counsel on either side.

3. As rightly pointed out by the Court below, the revision petitioner herein has attested one of the sale deeds. What the revision petitioner has sought in the main suit is only the relief of permanent injunction. In other words, according to him, the original defendants 1 to 3 are trying to interfere with his peaceful possession and enjoyment of the suit property. In such a suit, in which personal relief is sought against the defendants 1 to 3, the question of impleading the respondents 4 to 12 herein, merely because they are subsequent purchasers, will not arise at all. If the respondents 4 to 12 attempt to interfere with the petitioner's peaceful possession and enjoyment nothing can stop the petitioner from filing an independent suit. But, the question of impleading respondents 4 to 12 herein in the present suit in O.S.No.121 of 2010 on the ground of their purchase during the pendency of the suit does not arise at all.

4. Affirming the impugned order passed by the Court below, this Civil Revision Petition stands dismissed. No Costs. Consequently, connected miscellaneous petition is dismissed.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1. The Principal District Munsif, Ambasamudram.
2. The Section Officer, V.R.Section,
Madurai Bench of Madras High Court, Madurai. **(2 copies)**

+1CC to Mr.V.Sasikumar, Advocate, SR.No.77686

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