



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:23.08.2018
CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WEB COPY

C.R.P. (PD) (MD) No.1811 of 2018
and
C.M.P. (MD) No.7926 of 2018

C.Saravana Kumar ... Petitioner / Petitioner
/ Proposed 3rd Defendant

Vs.

1.Minor Abirami
(Represented through her Mother
and Guardian Arokia Jeyarani) ... 1st Respondents /
1st Respondent / Plaintiffs

2.Rangasamy
3.Karuppiah ... 2 and 3 Respondents
/ 2 and 3 Respondents / Defendants

PRAYER: Petition filed under Section 227 of Constitution of India, to set aside the fair and decreetal order made in I.A.No.1089 of 2017 in O.S.No.548 of 2012, dated 16.07.2018 passed by the learned Additional District Munsif, Dindigul.

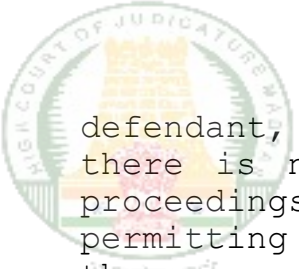
For Petitioners : Mr.A.R.Sethupathy

ORDER

O.S.No.548 of 2012 was filed before the Additional District Munsif Court, Dindigul seeking the relief of declaration and recovery of possession. In the said suit, the revision petitioner herein wanted to implead himself. He, therefore, filed I.A.No.1089 of 2017. The said application was dismissed by order dated 16.07.2018. The correctness of the said order is questioned in this Civil Revision Petition.

2.Heard the learned Counsel for the revision petitioner.

3.The learned Counsel for the revision petitioner reiterated the contention set out in the memorandum of grounds. This Court is of the view that the Court below is justified in dismissing the Interlocutory Application in question. This is because, the plaintiff did not claim any relief against the revision petitioner herein. The revision petitioner is only a vendor of the second defendant. The revision petitioner claims that he alone is having the knowledge regarding the transaction. If that is so, the revision petitioner can very well examine himself as a witness for the second



defendant, if the second defendant so desires. For this purpose, there is no need to implead the revision petitioner in the suit proceedings. Since the suit proceeding is of the year 2012, permitting the revision petitioner to implead himself as party to the proceedings, will delay the proceedings further.

4. Affirming the reasons assigned by the Court below, the Civil Revision Petition is dismissed. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(Crl.side)

/True Copy/

Sub Assistant Registrar(CS-II)

To

The Additional District Munsif,
Dindigul.

+1CC to Mr.T.R.SUBRAMANIAN, Advocate, SR.No.79750

C.R.P. (PD) (MD) No.1811 of 2018
23.08.2018

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