

HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN

Civil Revision Petition No.3629 of 2018

ORDER:

The plaintiff in a suit for specific performance has come up with the above revision challenging an order allowing an application for impleadment filed by the third parties, who claim to have purchased the property.

2. Heard Mr. Y. Ramatirtha, learned counsel for the petitioner.

3. The petitioner filed a suit for specific performance of an agreement of sale, as against the 4th respondent herein, who was the sole defendant. Though in the written statement no plea was taken about any sale purportedly made by the sole defendant, the respondents 1 to 3 in this revision filed an application for impleadment on the ground that they have purchased the property after the institution of the suit. That application was allowed by the trial Court forcing the plaintiff to come up with the above revision.

4. Though Mr. Y. Ramatirtha, learned counsel for the petitioner submitted that the *pendente lite* purchasers have no locus, I am of the considered view that it will be in the very interest of the plaintiff to allow these respondents 1 to 3 to come on record. If not today, at the time of execution, the respondents 1 to 3 will create obstructions and prevent the flow of justice, if at all the suit is decreed in favour of the petitioner. Therefore, it is better for the petitioner to have the presence of the respondents 1 to 3. At least the petitioner can seek appropriate reliefs against further alienation, which will also be lost if they are not made parties.

Therefore, the Civil Revision Petition is dismissed. No costs.

As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

V. RAMASUBRAMANIAN, J

Date: 29-06-2018

Ksn

