

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2019

CORAM :

THE HON'BLE MS. JUSTICE P.T.ASHA

C.R.P. (PD) No.748 of 2019

and

C.M.P. No.4854 of 2019

1.Prema

2.Velusamy

... Revision Petitioners

Vs.

1.Kathirvel Pillai

2.Seethalatchumi @ Seethammal @ Seetha

3.The Union of India,
Rep. by Union Territory of Puducherry,
Through Chief Secretary,
Chief Secretariat,
Puducherry.

4.The District Registrar,
Registration Department,
Saram, Puducherry.

5.The Sub-Registrar,
Oulgaret Sub-Registration,
Reddiarpalayam,
Puducherry.

6.Segar

7.Girija

8.Saroja Devi

9.Manonmani

10.Sharmila

11.Punnitha

12.Arjunan

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the fair and final order dated 21.12.2018 made in I.A.No.375 of 2018 in O.S.No.940 of 2011 on the file of the II Additional District Munsif Court, Puducherry.

For Petitioners : Mr.K.S.Karthik Raja

ORDER

The above Civil Revision Petition has been filed, challenging the order dated 21.12.2018 in I.A.No.375 of 2018 in O.S.No.940 of 2011, in and by which, the learned II Additional District Munsif, Puducherry, had dismissed the application moved by the defendants 1 and 2 for impleading the proposed parties to the suit on the ground that, they have also filed certain proceedings in respect of the suit schedule property.

2.It is an axiomatic principle of law that the plaintiff is the *dominus litis*, who can choose the defendants and it is not for the defendants, to dictate the parties, against whom, the plaintiff should have instituted his litigation. That apart, in the instant case, the application has been moved on the ground that, other proceedings are pending, which have been instituted by the proposed

parties. In case the proposed parties are going to be affected by a decision, it is for them to take necessary steps and not for the defendants 1 and 2. Therefore, I find no infirmity in the order passed by the learned II Additional District Munsif in I.A.No.375 of 2018 in O.S.No.940 of 2011.

3.In the result, this Civil Revision Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

27.02.2019

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Index : Yes / No
Internet : Yes / No
Speaking order / Nonspeaking order

To

1.The II Additional District Munsif,
Puducherry.

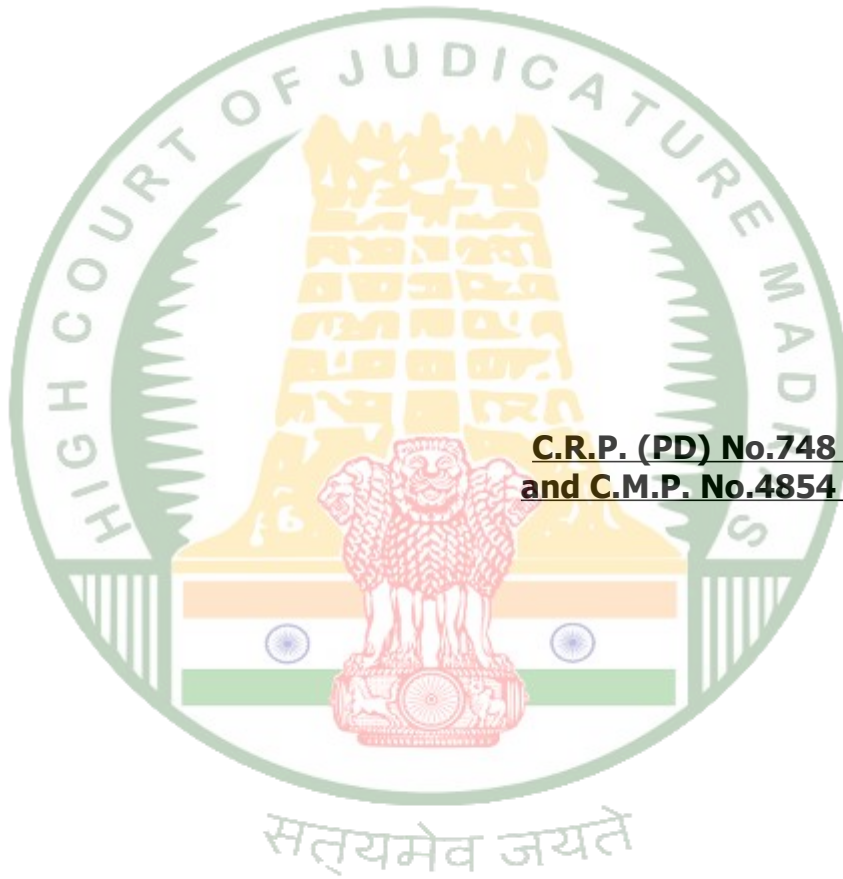
2.The Chief Secretary,
Union Territory of Puducherry,
Chief Secretariat,
Puducherry.

3.The District Registrar,
Registration Department,
Saram, Puducherry.

4.The Sub-Registrar,
Oulgaret Sub-Registration,
Reddiarpalayam,
Puducherry.

P.T.ASHA, J.

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