

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.04.2019

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

C.R.P. (PD) .No.1303 of 2019  
and CMP.No. 8520 of 2019

Gopalakrishnan ... Petitioner/2<sup>nd</sup> Plaintiff

Vs.

- |                     |                                                                          |
|---------------------|--------------------------------------------------------------------------|
| 1. Ezhili           | ..Respondent/Petitioner/3 <sup>rd</sup> Party                            |
| 2. Sankaranarayanan | ..Respondents/Respondents 1,3<br>&4/Plaintiff 1,3 & 4                    |
| 3. Tamijeselvy      |                                                                          |
| 4. Porselvi         | ..Respondent/Respondent/Defendant                                        |
| 5. Camilus Louis    | ... Respondents/3 <sup>rd</sup> Party , Plaintiffs<br>1, 3 & 4/Defendant |

Civil Revision Petition filed under Article 227 of the Constitution of India pleaded to set aside the fair and decretal order dated 09.01.2019 in I.A.No.641 of 2015 in O.S.No.1397 of 2015 on the file of the learned I Additional District Munsif at Puducherry.

For Petitioner : M/s.Subramanian

O R D E R

The Civil Revision Petition has been filed to set aside the fair and decretal order dated 09.01.2019 in I.A.No.641 of 2015 in O.S.No.1397 of 2015 on the file of the learned I Additional District Munsif at Puducherry.

2. The learned Judge has permitted the first respondent herein to be impleaded as a party defendant in the suit. The proposed party has sought to be impleaded in the suit filed by the revision petitioner as a legal representative of the deceased Vaithianathan on the basis that she is the wife legally married to him after the demise of the first wife. In support of her prima facie case she has produced documents like ration card, bank pass book, Adhar card etc., and considering all these documents the learned Judge has allowed the application which is challenged only by the second plaintiff. As observed by the learned Judge the proposed party has prima facie put forward

certain documents to show that she is the second wife of the deceased Vaithianathan. In these circumstances she is a proper necessary party for the proceedings. It is no doubt that she has to ultimately establish her right independently. I do not find any infirmity in the order passed by the learned I Additional District Munsif at Puducherry, accordingly the civil revision petition stands dismissed. No costs. Consequently connected miscellaneous petition is also closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

dpq

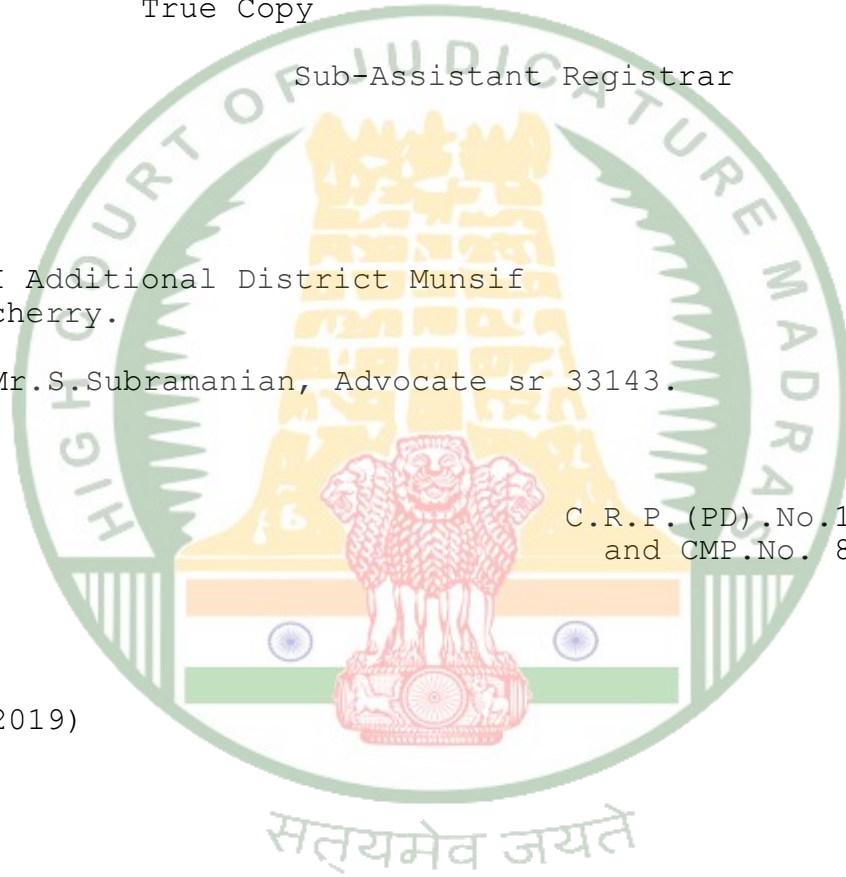
To

The I Additional District Munsif  
Puducherry.

+1 CC to Mr.S.Subramanian, Advocate sr 33143.

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NMI (CO)  
SP (13/05/2019)



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