

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 17.12.2019

CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Civil Revision Petition No.4144 of 2019

T.Roque Sagaraj ... Defendant/2nd Respondent Petitioner

-Versus-

1.B.Irudhayaraj

..Petitioner/Proposed 2nd Plaintiff/1st Respondent

2.Velankanni

.. 1st Respondent/Plaintiff/2nd Respondent

Petition filed under Article 227 of the Constitution of India, praying to set aside the order dated 15.04.2019 made in I.A.No.133 of 2018 in O.S.No.9 of 2017 by the learned Subordinate Judge, Madurantagam, Kancheepuram District.

For Petitioner : Mr.K.Govi Ganesan

ORDER

This civil revision petition is directed against the order of the learned Subordinate Judge, Madurantakam, allowing the application filed by the 1st respondent to implead himself as a party plaintiff in the suit.

2. Originally, the 2nd respondent herein has filed a suit for redemption. Even before filing the suit for redemption, she had sold the property on 01.09.2016 to the petitioner herein. Alleging that the original plaintiff was not showing interest in contesting the suit, the petitioner had filed the application under revision seeking to implead himself as the 2nd plaintiff so as to contest the suit effectively which was allowed by the court below. Challenging the same, the sole defendant is before this court with this revision petition.

3. This civil revision petition is coming up today for admission. Since the order which is going to be passed in this revision would no way cause any prejudice to the other side, this court is of the view that no notice is necessary to the other side.

4. I have heard the learned counsel for the petitioner and also perused the records carefully.

5. The 1st respondent, being the purchaser of the property in question, wanted to implead himself as 2nd plaintiff in the suit filed by the 2nd respondent for redemption of the suit property on the ground that the 2nd respondent, who is the sole plaintiff in the suit, was not willing to contest the suit effectively. On considering the available materials and the facts and circumstances of the case, the court below has rightly allowed the application by way of the order under revision in which this court does not find any illegality or irregularity warranting interference at the hands of this court. Thus, this revision petition devoid of merits and the same deserves only to be dismissed.

In the result, this Civil Revision Petition is dismissed and the order of the learned Subordinate Judge, Madurantakam is confirmed. No costs.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

kmk

To

1.The Subordinate Judge,
Madurantakam,
Kancheepuram District.

+1cc to Mr.K.Govi Ganesan, Advocate SR.No.105041

Civil Revision Petition
No.4144 of 2019

AD(CO)
GMY(28/07/2020)

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