

CMP.No.1564 of 2020
in L.P.A.No.3 of 2020

M.SATHYANARAYANAN, J.,
and
N.SESHASAYEE, J.,

[Order of the Court was made by M.SATHYANARAYANAN, J.]

The petitioner is the appellant in W.A.No.145 of 2017 and it came to be disposed of along with the batch cases and he is supporting the case of the 2nd respondent and also stated to be a party in mediation.

2. Mr.Haja Mohideen Gisthi, learned counsel appearing for the 1st respondent / appellant in the Letter Patent Appeal has no serious objection. However the petition for impleadment is strongly opposed by the learned counsel appearing for the 2nd respondent and Mr.Srinath Sridevan, learned counsel appearing for the 3rd respondent.

3. This Court has considered the rival submissions and also perused the materials placed before it.

4. In the light of the order passed by the Court of District Munsif, Nagapattinam, in Tr.O.P.No.18 of 2019, coupled with the fact that the

Suit filed by the petitioner in O.S.No.25 of 2017, which was originally

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pending on the Court of District Munsif, Nagapattinam, was ordered to be transferred to the file of Sub Court, Nagapattinam, to be tried along with O.S.No.31 of 2014, this Court is of the considered view that the prayer sought for by the petitioner is to be granted. However, it is also made clear that this Court, while ordering this petition, did not venture into the merits of the claim / contention put forth by the petitioner in this Letter Patent Appeal.

5. In the result, the petition is ordered and the petitioner / proposed respondent herein is arrayed as respondent in Letter Patent Appeal.

[M.S.N,J] [N.S.S,J]
05.03.2020

Note:Registry is directed to carryout suitable amendment in the cause title.

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