



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.12.2020

CORAM

THE HON'BLE MR.JUSTICE R.MAHADEVAN

C.R.P(PD) (MD)No.218 of 2013

and M.P. (MD)No.1 of 2013

and C.M.P(MD)Nos.4375, 4376, 4378, 4381, 4383 and 4384 of 2020

G.P.Subbiahan

... Petitioner/Petitioner/Plaintiff

Vs.

1.G.P.Thangavel

2.G.P.Bachirajan (Died)

3.Tmt.Chandra

... Respondents 1 to 3/Respondents 1 to 3/
Defendants 1 to 3

4.Baskaran

5.Veeramohan

6.Arumugam

... Respondents 4 to 6/Pro Respondents 4/
Pro Defendants 4 to 6

(Memo recorded vide USR-3235/04.07.2016
as R2 died vide Court order dated
16.08.2018)

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India against the fair and decreetal order dated 31.10.2012 made in I.A.No.220 of 2012 in O.S.No.5 of 2011 on the file of the Additional District and Sessions Judge, Dindigul.

For Petitioners : Mr.J.Lawrance

For R-4 : No Appearance

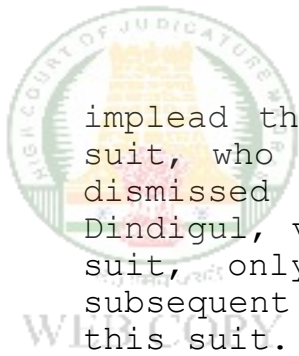
For R-5 & R-6 : Ex-parte

O R D E R

This Civil Revision Petition is filed against fair and decreetal order dated 31.10.2012 made in I.A.No.220 of 2012 in O.S.No.5 of 2011 on the file of the Additional District and Sessions Court, Dindigul.

2. The brief facts of the case are as follows:

The petitioner is the plaintiff and the respondents 1 to 3 are the defendants in O.S.No.5 of 2011 on the file of the Additional District and Sessions Court, Dindigul. The petitioner has filed the said suit for partition. Pending the suit, the petitioner has filed an interlocutory application in I.A.No.220 of 2012, seeking to



implead the respondents 4 to 6 as defendants 4 to 6 in the main suit, who are the subsequent purchasers. The said application was dismissed by the learned Additional District and Sessions Judge, Dindigul, vide order dated 31.10.2012, stating that in the partition suit, only the shares of the parties to be decided and the subsequent purchasers are not the necessary parties to adjudicate this suit. Hence, this Civil Revision Petition.

3. When the matter is taken up for hearing today, the learned counsel appearing for the petitioner submits that he is not pressing this Civil Revision Petition and seeks liberty to raise all the legal issues before the lower Court and undertakes to send an e-mail in this regard to the Registry of this Court.

4. Granting such liberty, this Civil Revision Petition is Closed. No Costs. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Additional District and Sessions Judge,
Dindigul.

2.The Record Keeper,
V.R.Section,
Madurai Bench of Madras High Court, Madurai.(2 Copies)

+1 CC to M/s.J. LAWRENCE, Advocate (SR-23746[F] dated 02/12/2020)

C.R.P (PD) (MD) No.218 of 2013
and M.P. (MD) No.1 of 2013
and C.M.P (MD) Nos.4375, 4376, 4378,
4381, 4383 and 4384

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