



In both revisions:

For Petitioners	: Mr.S.Siva Thilakar
For R1	: Mr.B.Rajesh Saravanan
For R2 & R3	: No appearance

C O M M O N O R D E R

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These Civil Revision Petitions are filed against the order and decretal order dated 26.08.2019 made in I.A.No.73 of 2017 in O.S.No.15 of 2016 and I.A.No.74 of 2017 in I.A.No.15 of 2016 in O.S.No.15 of 2016 on the file of the Principal District Court, Theni.

2. The first respondent filed the suit against the second and third respondents in O.S.No.15 of 2016 on the file of the Principal District Court, Theni.

3. During the pendency of the suit, the plaintiff has filed I.A.No.73 of 2013 to implead the present petitioners in the suit stating that the petitioners have purchased property from the second and third respondents. The plaintiff filed I.A.No.74 of 2017 to implead the proposed parties in I.A.No.15 of 2016 in O.S.No.15 of 2016. The trial court allowed the petitions and directed to implead the petitioners. Challenging the said order, the third parties/petitioners are before this Court.

4. The learned counsel for the petitioners would submit that the suit was filed on 09.03.2016 and summons were issued on 11.03.2016 and after receiving summons, the respondent sold property to the present petitioners. Thereafter the first respondent/ plaintiff has filed a petition to implead the third party purchasers of the property as the respondents/defendants. The trial court, allowed the petitions. Challenging the same, the third parties/petitioners have filed the present revisions.

5. Heard the learned counsel for the petitioners and the learned counsel for the first respondent and perused the materials available on record.

6. On a careful perusal of the records, it is seen that the suit was filed in the year 2016 and an application was filed in the year 2017. After filing the suit and after receiving summons, the second and third respondents have sold the property to the petitioners. The sale is during the pendency of the suit. Under such circumstances, this Court feels that in case the first respondent/plaintiff succeeds in the suit and gets a decree, he would proceed with the property and at that time, the presence of the petitioners may be necessary. Therefore, this Court finds no perversity in the orders of the trial court allowing the applications to implead the petitioners.



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C.R.P(MD)Nos.141 and 142 of 2020

7. In the result, these Civil Revision Petitions are dismissed. No costs. Consequently connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To,

The Principal District Judge, Theni.

+1 CC to Mr.B.RAJESH SARAVANAN, Advocate (SR-10621[F] dated 09/03/2020)

+1 CC to Mr.S.SIVATHILAKAR, Advocate (SR-10695[F] dated 10/03/2020)

C.R.P(MD) Nos.141 and 142 of 2020
and C.M.P(MD)No.782 of 2020
06.03.2020

CM

AE (18.03.2020) 3P 4C