

CMP No.25163 of 2019 in**A.S.No.174 of 2012****P.T.ASHA, J**

The above application has been filed for impleading the petitioner as a party in this appeal, which arises out of the suit for partition. Even in the trial Court, the first and third defendants have taken out the defence that besides the plaintiff and the defendants, Palanichamy Pandaram also had a daughter namely Premavathi, who is the petitioner herein and she is a necessary party to the proceedings. However, despite the said defence being taken, the plaintiff has not taken steps to implead her. The Trial Court has dismissed the suit on the ground of non-joinder of necessary party.

2.The learned counsel for the respondents 1 to 3 has no objection to the above petition being ordered and it is only the learned counsel for the plaintiff, who has objection despite the fact that the suit already has been dismissed for non-joinder of the parties. However, considering the fact that the said Premavathi is a necessary party to the proceedings, this petition seeking to implead the petitioner is ordered and she is brought on record as Respondent No.8 in the above second appeal. The Registry shall carry out the necessary amendment.

03.09.2021

gd/vkr

P.T.ASHA, J

gd/vkr



CMP No.25163 of 2019

in

A.S.No.174 of 2012

WEB COPY

03.09.2021