

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2021

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

C.R.P.(PD)Nos.3212 & 3213 of 2018
and C.M.P.No.18362 of 2018

Valji Nanji Patel

... Petitioner in
both CRPs.

Vs.

1. M.Loganathan
2. T.S.Kannan
3. Ravilal R. Patel

... Respondents in
both CRPs.

Common Prayer :- Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the fair and decretal order dated 23.07.2018 in I.A.Nos.183 & 184 of 2018 in O.S.No.46 of 2009 respectively, on the file the Subordinate Court, Ranipet at Vellore.

For Petitioner

in both CRPs : Mr.R.Siddharth

For Respondents
in both CRPs

For R1 : Mr.A.Rajesh Kanna

R2 & R3 : No ready in notice

COMMON ORDER

These Civil Revision Petitions have been filed as against the fair and decretal order dated 23.07.2018 passed by the learned Subordinate Judge, Ranipet at Vellore, in I.A.Nos.183 & 184 of 2018 in O.S.No.46 of 2009 respectively, thereby dismissing the petition to reopen the case and to implead the proposed party.

2. The petitioner is the plaintiff and the respondents 1 & 2 are the defendants. The petitioner filed suit in O.S.No.46 of 2009 for declaration, recovery of possession and permanent injunction as against the respondents 1 & 2. When the suit was posted for reply arguments, the petitioner filed two petitions in I.A.Nos.183 & 184 of 2018 to reopen the case for filing implead petition and to implead the third respondent as third defendant respectively. The trial Court dismissed both the petitions as against which, the petitioner filed these present Civil Revision Petitions.

3. It is seen that the suit is of the year 2009 and after completion of nine years the petitioner filed these present petitions. After completion of

examination of both sides witnesses, now the suit is posted for further arguments. After completing the trial, the petitioner filed these petitions to implead the proposed party as third defendant. Therefore, the trial Court rightly dismissed the petitions and this Court finds no illegality or infirmity in the order passed by the Court below. Since the suit is of the year 2009, the trial Court viz., learned Subordinate Judge, Ranipet at Vellore, is directed to dispose the suit within a period of three months from the date of receipt of a copy of this Order.

4. Accordingly, both the Civil Revision Petitions stand dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

01.07.2021

Internet : Yes

Index : Yes/No

Speaking order/Non-speaking order

rts

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G.K.ILANTHIRAIYAN, J.

rts

To

1. The Subordinate Judge,
Ranipet at Vellore,
2. The Section Officer,
V.R. Section,
Madras High Court,
Chennai.



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