



WEB COPY



C.R.P.(PD).No.1730 of 2022 and  
C.M.P.No.8755 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2022

CORAM:

THE HON'BLE Ms.JUSTICE **R.N.MANJULA**

C.R.P (PD).No.1730 of 2022 and  
C.M.P.No.8755 of 2022

Mr.A.G.Velayutham

V.Saroja (deceased)

... Petitioner

Vs.

1.Mr.V.Vadivelan

2.Mr.V.Ganapathy

... Respondents

PRAYER : Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the order passed in I.A.No.2 of 2020 in O.S.No.2043 of 2020 on 12.01.2022 on the file of XXIII Additional City Civil Court at Allikulam, Chennai.

For Petitioner : Mr.A.Palaniappan for  
Mr.M.Devaraj

For Respondents : Mr.K.Perumal



C.R.P.(PD).No.1730 of 2022 and  
C.M.P.No.8755 of 2022

WEB COPY

### **ORDER**

This civil revision petition has been preferred to set aside the order passed in I.A.No.2 of 2020 in O.S.No.2043 of 2020 on 12.01.2022 on the file of XXIII Additional City Civil Court at Allikulam, Chennai.

2. Heard the learned counsel for the petitioner and also the learned counsel for the respondents.

3. The revision petitioner is a proposed party who had filed an interlocutory application in I.A.No.2 of 2020, to implead himself as a party to the suit. The suit has been filed by the first respondent against the second respondent for partitioning the suit property. The suit property was purchased by virtue of a sale deed dated 04.05.2007, in the names of the first and second respondents. Having purchased the suit property jointly, the plaintiff has now filed the suit for partition. Despite the revision petitioner is the father of both the respondents, he does not have any title in respect of the suit property. Though it is alleged that the revision petitioner was maintaining the property and collecting rent and doing all other connected management in respect of the property, that will not entitle the revision petitioner any share in the suit



C.R.P.(PD).No.1730 of 2022 and  
C.M.P.No.8755 of 2022

property.  
WEB COPY

4. Under such circumstances, the proposed party cannot be a necessary party to the proceedings and hence, it is right for the learned Trial Judge to dismiss the petition filed by the revision petitioner for impleadment. I find no grounds to entertain this civil revision petition and the same stands dismissed. No costs. Consequently, connected miscellaneous petition stands closed.

**14.06.2022**

Index: Yes/No  
Speaking / Non Speaking Order  
gsk

To  
XXIII Additional City Civil Court at Allikulam,  
Chennai.

**R.N.MANJULA, J.**



WEB COPY



C.R.P.(PD).No.1730 of 2022 and  
C.M.P.No.8755 of 2022

gsk

C.R.P.(PD).No.1730 of 2022 and  
C.M.P.No.8755 of 2022

14.06.2022