



A.No.2109 of 2021
and
O.A.No.132 of 2021
in
C.S.No.80 of 2021

P.VELMURUGAN.,J

Respondents 1 to 3 have filed the suit in C.S.No.80 of 2021 for declaration, declaring the respondents 1 to 3 prescribed tile to the suit schedule property by way of adverse possession for the extent of 4200 sq.ft with land and building bearing old Door No.57-A and New Door No.72, Perambaur High Road, Chennai and for consequential injunction.

2. Originally the suit was filed against five defendants and subsequently, the petitioner herein filed an application under Order 14 Rule 8 read with Rule 10(2) of C.P.C., to implead himself as one of the defendants. The main contention of the petitioner is that the property belonged to the Railways and he only took the initial steps and filed PIL before this Court to safeguard the property. Subsequently, the respondents 1 to 3/plaintiffs had filed the suit even without impleading the Railways as parties. Therefore, to safeguard the property, he should be impleaded as one of the defendant. Hence the application.



3. Mr.A.Edwin Prabhakar, learned Special Government Pleader (Civil Side) appearing for the respondents 3,4,6 and 8 submitted that Railways has been impleaded as sixth defendant.

4. Since the Railways already impleaded as party and the present petitioner is neither a necessary party nor a proper party in this Suit, the application filed by the petitioner is liable to be dismissed. Accordingly, the Application No.2109 of 2021 in C.S.No.80 of 2021 is dismissed.

5. At request, post the matter in O.A.No.132 of 2021 in C.S.No.80 of 2021 on 07.03.2022, for filing written statement. It is made clear that no further adjournments will be granted.

07.02.2022

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