



C.R.P. (PD) No.1373 of 2022

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2022

CORAM

THE HONOURABLE MS. JUSTICE R.N.MANJULA

C.R.P. (PD) No.1373 of 2022

and

C.M.P.No. 7219 of 2022

Moses Aided Middle School,
rep. by its Agent
Mr.S.Muruganantham

... Petitioner

Versus

1. Mohammed Hasina Begam,
W/o. Ismail
rep. by Power of Agent
Mohammed Kaavud Alavudeen

2. C.Kamala Christy Grace,
D/o. Chandran

... Respondents

Prayer:- Civil Revision Petition has been filed under Art. 227 of
Constitution of India, praying to set aside the fair and final order dated

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08.03.2022 made in I.A.No.283 of 2013 in O.S.No. 49 of 2011 passed by
the District Munsif Court, Tiruvarur.

For Petitioner : Mr.B.Jawahar

ORDER

This Civil Revision Petition has been preferred challenging the order of learned District Munsif, Tiruvarur dated 08.03.2022 in I.A.No. 283 of 2013 in O.S.No. 49 of 2011.

2. The Revision Petitioner is the plaintiff in the suit. The suit has been filed for the relief of permanent injunction. During the pendency of the suit, the 1st respondent/third party has filed an Interlocutory Application to implead herself in the proceedings and the same was allowed. Aggrieved over that, the plaintiff has filed this Civil Revision Petition.

3. The learned counsel appearing for petitioner submitted that the third party was added as a party to the proceedings on the allegations that he



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had purchased the property from the 1st defendant and he has not invoked any cause of action against the proposed party and she is an unnecessary party.

4. It is true that the revision petitioner, as plaintiff has not pleaded any cause of action as against proposed party. The proposed party was not added as a party at the instance of plaintiff. Since the third party has alleged that she has an interest in the suit, the learned trial judge has chosen to implead her as a party to the proceedings in order to avoid multiplicity of proceedings. By impleading the third party as a 2nd defendant in the suit will not in any way prejudice the interest of the plaintiff in conducting the suit. In fact, by not adding her as a party would only help the plaintiff to avoid any technical difficulties like non-joinder of necessary parties. Therefore, the learned trial judge is right in conceding to the request of the proposed party and adding her as a party to the proceedings. I find no ground for interference in the order passed by learned District Munsif, Tiruvarur.



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5. In the result, this Civil Revision Petition dismissed and the order passed by the learned District Munsif, Tiruvarur dated 08.03.2022 in I.A. No.283 of 2013 in O.S.No.49 of 2011 is confirmed. Consequently, the connected Civil Miscellaneous Petition is closed.

24.06.2022

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To

District Munsif Court,
Tiruvarur.



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R.N.MANJULA, J.

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