



A.No.3577 of 2022
in
C.S.No.7 of 2022

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C.V.KARTHIKEYAN, J.

This Application has been filed seeking to implead the 2nd respondent as a further defendant in the suit.

2. In the affidavit filed in support of this application, it is stated that 1st defendant had given an interview in this particular 2nd respondent, Newspaper. The allegation that the interview was given had been denied by the 1st respondent.

3. To establish that particular fact, this respondent need not be a party defendant, but can be, if necessary be summoned as a witness.

4. A clear distinction must be drawn between who are necessary parties to a suit and who are proper parties to the suit and who can be witnesses to the suit. The present respondent falls in the category as a witness to the suit to examine whether an interview was actually given or not.



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5. Summons can always be issued during the course of trial to this particular 2nd respondent namely the Indian Express, Cochin Edition, Ground Floor, Sankoorikal Building, Kaloor-Kadananthra Road, Kaloor, Kochi – 682 017.

6. In view of the above reasoning, the petition stands closed. No further orders are required.

05.09.2022
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