



A.No.4945 of 2022

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in C.S.No.115 of 2022

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C.V.KARTHIKEYAN,J.

The conduct of the plaintiffs in not impleading the applicant herein, who was born in the family as a daughter, has come under the scrutiny of this Court.

2. It is contended that there was an agreement by which, the brothers alone can have a share in the property at Chennai and therefore, the sisters have not been impleaded.

3. Whether the sisters have a share or not is a matter to be decided by this Court. They must however be impleaded as defendants in the suit. That is the responsibility of the plaintiff. Non-disclosure would only imply that the plaintiffs seek to get an order without impleading necessary parties.

4. The applicant herein is certainly a necessary party and no order of partition can be passed in the absence of the applicant and therefore she is also a proper party.

5. Holding as above, the application stands allowed.

08.11.2022
(1/2)



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