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CRP. No. 3096 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.11.2022

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRP. No.3096 of 2018

1.Srinivasan

...Petitioner

Vs.

1. Krishnaveni
2.Loganathan
3.Vijaya
4.Ammayappan
5.Kathirvel
6. Mohanapriya

...Respondents.

PRAYER: This Civil Revision Petition is filed under Article 227 of Constitution of India praying to set aside the fair order and decreetal order dated 07.07.2018 passed in I.A No. 254 of 2018 in O.S No.175 of 2013 on the file of District Munsif Court, Sankari, and allow the same.

For Petitioner	: Mr.P.Regunathan
For R1	: Not appeared
For R2 & R3	: Mr.R.Jayaprakash
For R4 to R6	: Exparte



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ORDER

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Challenging the impugned order passed by the District Munsif Court, Sankari in I.A No. 254 of 2018 in O.S No.175 of 2013 proposed party preferred this Civil Revision Petition.

2. Originally suit in O.S No.175 of 2013 was filed by the one Krishnaveni who is the wife of this proposed petitioner, for the relief of declaration and other consequential relief against the defendant and the defendant also contested the suit, during the pendency of the proceedings husband of the plaintiff filed I.A No. 254 of 2018 in the above said suit to implead him as a second plaintiff in the suit by stating that the suit property was settled in his favour. On hearing both sides the Trial Court held that on earlier occasion plaint was amended but it was informed that there is a settlement deed in favour of the husband by the plaintiff accordingly application as such is not maintainable and dismissed.

3. Challenging the said findings proposed party husband of the plaintiff preferred this revision petition.

4. Heard, Mr.V.Regunathan learned counsel for the petitioner and Mr.R.Jayaprakash, learned counsel for the respondent.



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5. At the time of the arguments, the learned counsel for the petitioner submitted that originally suit in O.S No. 175 of 2013 was filed by the petitioner wife Krishnaveni who was died, as a legal heir the petitioner wants to proceed the suit.

6. The submission of the learned counsel for the petitioner is recorded. The revision petitioner is entitled to proceed the suit as a legal heir of the deceased plaintiff/Krishnaveni. Accordingly, This Civil Revision Petition is disposed of. There shall be no order as to costs. Consequentially connected Miscellaneous petition is closed

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T.V.THAMILSELVI,J.

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To

1. The District Munsif, Sankari.

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