



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Monday, the Thirteenth day of June Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN

CMP (MD) No.4399 of 2021
IN
AS (MD) No.271 of 2004

1 S.BALASUBRAMANYAM

2 K.RAJALAKSHMI

3 JANSI RAJENDRAN

4 M.RAJALAKSHMI

5 N.MURUGESAN

6 SRINIVASAN

7 S.DHANALAKSHMI

... PETITIONERS/PROPOSED

RESPONDENTS No.40 TO 46

Vs

1 SREE MEENAKSHISUNDARESWARARE,
DEVASATHANAM MADURAI
REP BY ITS EXECUTIVE OFFICER,
HAVING HIS OFFICE AT SOUTH ADI STREET,
MADURAI

2 RAMU AMMAL

3 MEENAKSHI

4 SETHULAKSHMI

5 SOORYA GANDHI AMMAL

6 E.M.SUBRAMANIAN

7 PANNEERSELVAN

8 NITHAYANANTHAM



10 E.SUBRAMANIAN

11 S.SUNDARAM

12 VENKADACHALAPATHY

13 THANGARAJ

14 RENGARAJ

15 ILANGO VAN

16 KUPPASAMY

17 KANAGARAJ

18 MANI

19 SANKARRAJ

20 PAULRAJ

21 VENKATASAMY

22 SUNDARA PANDIAN

23 RAMAMOORTHY

24 PREM RAJ

25 BALASUBRAMANIAN

26 AZHAGARSAMY

27 N.PALANIAPPAN

28 C.GANESAN

29 SUDALAI

30 KANAKAVEL

31 MUTHUKRISHNAN

32 MURUGAN

33 RAMASAMY

34 RADHAKRISHNAN



36 BALASUBRAMANIAN

37 NAVANEETHA KRISHNAN

38 RADHAKRISHNAN

39 SOLAIMALAI

40 RAJARAM

... RESPONDENTS/RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to allow the petitioners to implead the proposed respondents No.40 to 46 in the first appeal in As.No.271 of 2004 on the file of this Honourable Court.

PRAYER IN AS(MD)No.271 of 2004:

To prefer this Memorandum of Regular appeal against the Judgment and Decree of the Principal Subordinate Judge, Madurai dated 30.04.1985 and made in O.S.No.12/1984.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.T.LAJAPATHI ROY, Advocate for the petitioners, the court made the following order:-

This petition is filed to implead the proposed respondents in the appeal.

2.Admittedly, the proposed respondents are not the parties to the suit and they are third parties.

3.The learned counsel appearing for the petitioners would submit that the petitioners purchased the property from his vendor, after the suit was decreed and that sofar, the sale deed has not been registered, which means the property has not been sofar conveyed to the petitioners.

4.The petitioners are neither proper parties nor necessary to arrive at an effective decision in the appeal. The petitioners can work out their remedy from their vendor in the manner known to law. Hence, this Court finds that the petitioners are not necessary parties in the appeal. Accordingly, this Civil Miscellaneous Petition is dismissed.

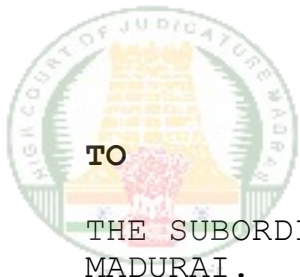
sd/-

13/06/2022

/ TRUE COPY /

/ /2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

THE SUBORDINATE JUDGE,
MADURAI.

WEB COPY

ORDER

IN

CMP (MD) No.4399 of 2021

IN

AS (MD) No.271 of 2004

Date :13/06/2022

SA/VR/SAR.3/16.06.2022/4P/2C