



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 28.04.2022
CORAM

THE HONOURABLE MRS.JUSTICE S. ANANTHI

WEB COPY

CRP(MD).No. 988 of 2022 and
CMP(MD).No.3928 of 2022

V.R. Rajendran

... Petitioner

Vs.

1.Mahalakshmi
2.E.Chandran @ Chandrasekaran
3.E.Kaliammal
4.E.Seenivasan
5.T.R.Dinakaran
6.D.Senthilkumar
7.J.Rajasekaran

... Respondents

Prayer: This Civil Revision Petition is filed under Article 227 of the Constitution of India against the fair and decreetal order, dated 04.02.2022 passed in I.A.No.1 of 2021 in O.S.No.167 of 2013 on the file of the Additional Sub Court, Srivilliputur.

For Petitioner : Mr.G. Venugopal

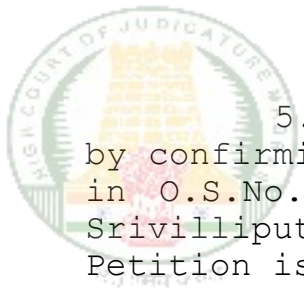
ORDER

The revision petitioner / 3rd defendant has filed this revision to set aside the order, dated 04.02.2022 passed in I.A.No.1 of 2021 in O.S.No.167 of 2013, on the file of the Additional Sub Court, Srivilliputur.

2. Heard the learned counsel appearing for the petitioner. Since no adverse order passed against the respondents no notice is necessary to the respondents.

3. The said Interlocutory Application in I.A.No.1 of 2021 was filed by the 1st respondent / third party to implead herself as one of the defendants. The second respondent / plaintiff has filed a suit for declaration of title. Since the third party is having 1/4th share in the suit property and also admittedly, the property belongs to the father of the 1st respondent / third party, she is necessary party to the suit. All other issues whether the claim is barred by limitation or not can be decided only in the suit.

4. Since the newly impleaded party is not a party to the document, she can file impleading petition to the suit. Hence, the trial Court has rightly allowed the petition. This Court is not inclined to interfere with the order passed by the Court below.



5. Accordingly, this Civil Revision Petition is dismissed by confirming the order, dated 04.02.2022 passed in I.A.No.1 of 2021 in O.S.No.167 of 2013 on the file of the Additional Sub Court, Srivilliputur. No costs. Consequently, the connected Miscellaneous Petition is closed.

WEB COPY

Sd/-

Assistant Registrar(CS.I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

The Additional Sub Court, Srivilliputur.

+1 CC to M/s.M.P.SENTHIL, Advocate (SR-22658[F] dated 29/04/2022)

CRP(MD).No. 988 of 2022 and
CMP(MD).No.3928 of 2022
28.04.2022

SA(25.05.2022) 2P 3C