



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 24.06.2022

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

C.R.P (MD)No.1253 of 2022

and

C.M.P (MD)No.5150 of 2022

1.S.Nithya Kalyani
2.K.Nagasubramani
3.K.Karthikeyan @ Velmurugan
4.P.Senthilrajan
5.Minor P.Shyam Chander ... Petitioners/Petitioners/
3rd Parties

Vs

K.Mahalilingam (Died)
M.ShenbagamAmmal (Died)

1.M.Kumaravel
2.M.Sukumar
3.M.Vijaya Kumar
4.M.Sampath Kumar
5.M.Palani Kumar
6.M.Krishna Kumar
7.N.Amarasundari ...Respondents 1 to 7/Respondents 3 to 9/
Petitioners 3 to 9/Petitioners 3 to 9
8.S.Ramakrishnan ...8th Respondent/10th Respondent/
Sole Respondent/Sole Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to call for the records and set aside the rejection of un-numbered E.A.application by order dated 09.09.2021 in E.P.No.41 of 2019 in RCOP No.243 of 1991 pending on the file of the Additional District Munsif Court, Madurai Town, and allow this civil revision petition with costs.

For Petitioner : Mr.M.Gnanagurunathan

ORDER

This civil revision petition has been filed as against the order dated 09.09.2021 passed by the EP Court in the un-numbered E.A.No. of 2021 (SR No.1090 of 2021) in E.P.No.41 of 2019 in RCOP No.243 of 1991 pending on the file of the Additional District Munsif Court, Madurai.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The second respondent herein has filed a petition in RCOP.No.243 of 1991 and the same was allowed on 20.11.2007 and the appeal filed as against the order of the Rent Controller was also dismissed on 27.11.2017. Thereafter, EP was filed in the year 2019. In that EP proceedings the petitioners/ 3rd parties have filed an application under order 1 Rule 10(2) of CPC to implead them as party that they are also co-owners of the suit property and that they are the necessary parties to the suit. The EP court has dismissed the said application that EP Court cannot decide the rights of the parties.

3.This Court does not find any error in the order passed by the Court below and as such this Court is not inclined to entertain this civil revision petition. Accordingly this civil revision petition stands dismissed. No costs. Consequently, connected miscellaneous petition also stands dismissed.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

dsk

To

The Additional District Munsif,
Madurai Town, Madurai.

COPY TO:-

The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

+1 CC to M/s.GNANAGURUNATHAN, Advocate (SR-28028[F]
dated 24/06/2022)

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SRK(CO)

GC(06.07.2022) 2P 5C