



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :17.03.2022

CORAM:

THE HONOURABLE MRS. JUSTICE S.ANANTHI

C.R.P(MD) .No.1813 of 2019

and

C.M.P(MD) .No.9340 of 2019

WEB COPY

P.Pandiyar

...Petitioner/Petitioner/Plaintiff

Vs.

1.K.Pomminayakkar
2.P.Rajendran
3.P.Rajathi
4.P.Kodiyarasi
5.P.Pakkiyam
6.Sampigethutty Estate Private Limited,
Through Authorized Officer and POA,
Mahendra.

7.Kalaiselvi

8.Malaisamy

...Respondents/Respondents/Defendants

PRAYER : This Civil Revision Petition is filed under Section 227 of the Constitution of India, to allow the above Civil Revision Petition by setting aside the order dated 09.01.2019 passed in I.A.No.349 of 2018 in O.S.No.121 of 2008 on the file of the District Munsif Court, Bodinayakanur, Theni District.

For Petitioner : Mr.S.Balaji
For R1 & R2 : Mr.S.Jothimani
For R3 to R8 : No Appearance

O R D E R

This Civil Revision Petition has been filed to set aside the order dated 09.01.2019 passed in I.A.No.349 of 2018 in O.S.No.121 of 2008 on the file of the District Munsif Court, Bodinayakanur, Theni District.

2.I.A.No.349 of 2018 was filed by the revision petitioner/plaintiff under Order 1, Rule 10(2) of CPC., to implead 6th respondent/3rd party as 6th respondent in the suit, which was dismissed by the learned District Munsif, Bodinayakanur, Theni District. Aggrieved by the said order, the revision petitioner has filed this Civil Revision Petition.

3.A perusal of records would show that the 6th respondent has purchased the property on 26.11.2009 from EIT Parry Limited, Chennai i.e. pending suit. The revision petitioner/plaintiff has already



filed another I.A.No.183 of 2018, to implead EIT Parry Limited as a purchaser, which was dismissed on 07.09.2018. The revision petitioner has not filed any revision against I.A.No.183 of 2018. Now, he cannot implead purchaser from the EIT Parry Limited that too pending suit. Therefore, the trial Court has rightly dismissed the said I.A.No.349 of 2018. This Court finds no valid reason to interfere with the order of the Court below.

4.In view of the above, this Civil Revision Petition is dismissed. The order dated 09.01.2019 made in I.A.No.349 of 2018 in O.S.No.121 of 2008 passed by the learned District Munsif, Bodinayakanur, Theni District, is hereby confirmed. No costs. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vsd

To

The District Munsif,
Bodinayakanur,
Theni District.

C.R.P (MD) .No.1813 of 2019
and
C.M.P (MD) .No.9340 of 2019
17.03.2022

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