



A.No.1166 of 2023
in T.O.S.No.20 of 2018

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R.N.MANJULA,J.

The applicant who is a third party, has filed this application to implead himself and his brother, 3rd respondent as defendants 2 and 3 respectively in T.O.S.No.20 of 2018.

2. The learned counsel for the respondent/defendant has no objections in allowing the petition to implead the applicant as 2nd defendant in the suit. However, he made objection in respect of impleading the another proposed party, his brother viz., A.G.Hemanathan as party to the proceedings, because the applicant cannot seek permission to implead another party without his consent.

3. On perusal of records, it is seen that the affidavit has been sworn by the applicant, only for himself and no additional affidavit has also been filed by the proposed third respondent. In that case, the third party applicant cannot compel another third party to get impleaded as party to the proceedings.

R.N.MANJULA, J.



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4. In view of the same, this application is partly allowed, by permitting to implead the applicant alone as 2nd defendant in the suit and the prayer sought for in respect of impleading the proposed 3rd respondent, stand dismissed.

16.03.2023

vum

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