



C.M.A.No.1386 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.07.2023

CORAM :

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

C.M.A.No.1386 of 2010

Indarchand Lall @ I.M.Lall

.. Petitioner

VS

Christian Educational Institutions
Rep. By its Secretary M.Christopher
Door No.14, Venkatesapuram,
Perambalur.

.. Respondent

Petition filed under Order 43 Rule 1 (d) of CPC to set aside the fair and decretal order of the Principal District Judge, Perambalur dated 05.03.2010 in IA Nos. 106 of 2009 in O.S.No.15 of 2007.

For Petitioners : Mr.P.Valliappan

For Respondents : Ms.N.R.Jasmine Padma

ORDER

An ex-parte decree was passed in O.S.No. 15 of 2007 on the file of the Principal District Judge at Perambalur.

2. In the said suit, an ex-parte decree was passed and to set aside the ex-parte decree, third party has filed an application for the purpose of impleading himself. Pursuant to the ex-parte decree in E.P.No. 84 of 2008 was filed and Ms.Jasmine, learned counsel, represents states that the sale deed has also been executed by the Court.



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V. LAKSHMINARAYANAN,J.

ssm

3. A third party to a suit does not have right over the property. In pursuance of his rights, the third party has already filed in O.S.No.12 of 2009. Giving him liberty to work out the right in that suit, this civil miscellaneous appeal is dismissed. No costs.

17.07.2023

Index:Yes/No
Neutral Citation:Yes/No
ssm

To
The Principal District Judge, Perambalur.

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