



WEB COPY



CMP No.7031 of 2023 in
CMA SR No.100615 of 2-22

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D.KRISHNAKUMAR, J.

AND

K.GOVINDARAJAN THILAKAVADI, J.

(Order of this Court was made by D.KRISHNAKUMAR, J.)

This petition has been filed to permit the petitioner to implead the petitioners 2 to 4 as appellants in the civil miscellaneous appeal.

2. The petitioner/appellant is husband of the respondent. The petitioner/appellant filed HMOP No. 406/2020 for divorce and the respondent filed Domestic Violence Case in D.V.C.No.1 of 2020 against the appellant herein and his three family members on the file of Family Court, Thiruvannamalai. In both the cases, common order passed, thereby the Family Court dismissed the divorce petition filed by the petitioner/appellant and disposed the case in DVC No.1/2010, directing the appellant to pay maintenance at Rs.10,000/- each to the respondent and her child. Challenging the above order passed in DVC No.1 of 2020, the instant appeal has been preferred by the petitioner/appellant, which is at SR stage.

3. Earlier, the petitioner has filed a petition in CMP No.4388 of 2023, to accept the cause title, showing the petitioner as sole petitioner/appellant, as there is no



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order passed against his family membets in DVC No.1/2010. The above petition was rejected by this Court on 06.03.2023, because, without arraying the other respondents 2 to 4 in DVC No.1/2020 as parties, it cannot be entertained.

4. Now, the petitioner has filed the present petition to implead the petitioners 2 to 4 herein, as appellants 2 to 4 in the appeal stating that at the time of hearing the petition in CMP No.4388/2023, this Court has directed the petitioner to implead the parties in D.V.C.No.1/2020 as appellants 2 to 4 in the appeal. Such contention of the petitioner is strongly deprecated by this Court, since there was no such observation made by this Court. Further, impleading petition cannot be entertained as the appeal is at SR stage. Therefore, we are not inclined to entertain this petition.

5. Accordingly, this civil miscellaneous petition is dismissed.

(D.K.K., J.) (K.G.T.,J.)

24.04.2023

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