



C.R.P.No.1479 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.06.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

C.R.P.No.1479 of 2023

and

C.M.P.Nos. 9788 and 9887 of 2023

N.Saminathan

. . . Petitioner

Versus

1. M.Govindasamy

Nachimuthu Gounder (died)

2. Govindammal

3. Achiyammal

4. Sundarambal

5. Nachimuthu Gounder

6. Velusamy

7. Baby

8. D.Ganeshkumar

9. C.Hariprasad

. . . Respondents

PRAYER : Civil Revision Petition filed under Article 227 of Constitution of India to set aside the fair and decreetal order dated 27.02.2023 made in I.A.No.823 of 2019 in O.S.No.281 of 2005 passed by the Principal Subordinate Judge, Tiruppur and allow this civil revision petition.



For Petitioner : Mr.S.Marshall
For Respondents : No representation

ORDER

Heard Mr.S.Marshall, learned counsel for the petitioner and perused the records.

2. This civil revision petition is filed by the defendant challenging the order passed in I.A.No.823 of 2019 in O.S.No.281 of 2005 dated 27.2.2023, wherein, the learned Principal Sub Judge, Sub Court, Tiruppur has permitted the third parties to be impleaded as one of the plaintiffs.

3. It is submitted by the learned counsel for the petitioner that originally the first respondent herein/plaintiff has filed the suit challenging the settlement deed dated 12.08.2004 executed by the first defendant in favour of the petitioner herein/2nd defendant in respect of the schedule of property that subsequent to the filing of the suit, the plaintiff has sold the said property in favour of the proposed plaintiffs. On account of the fact that the interest of the plaintiff, in respect of schedule of property has been transferred in favour of the proposed plaintiffs, the proposed plaintiffs will have interest over the schedule



C.R.P.No.1479 of 2023

of property. After amendment is effected the petitioner/2nd defendant will get an opportunity to file additional written statement, so that the petitioner can raise all the issues against the claim of proposed parties in respect of schedule of property.

5. Considering the circumstances and the submissions made by the learned counsel for the petitioner this Civil Revision Petition is disposed of. However, the petitioner is at liberty to file additional written statement after amendment is effected by putting forth his defence in respect of the proposed plaintiffs. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

02.06.2023

Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
ms



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C.R.P.No.1479 of 2023

DR.D.NAGARJUN, J.,
ms

To

The Principal Subordinate Judge,
Tiruppur.

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