



*W.M.P.No.23150 of 2022  
in W.P.No.7529 of 2016  
and  
W.M.P.No.28096 of 2022  
in Rev.Aplw.No.40 of 2012*

**W.M.P.No.23150 of 2022**  
**in**  
**W.P.No.7529 of 2016**  
**and**  
**W.M.P.No.28096 of 2022**  
**in**  
**Rev.Aplw.No.40 of 2012**

**P.VELMURUGAN, J.,**

The petition in W.M.P.No.23150 of 2022 in W.P.No.7529 of 2016 has been filed to permit the petitioner herein to implead him as a proposed 4<sup>th</sup> respondent in W.P.No.7529 of 2016.

2. The petition in W.M.P.No.28096 of 2022 in Rev.Aplw.No.40 of 2012 has been filed to grant leave to permit the petitioner herein to implead him as proposed 4<sup>th</sup> respondent in Rev.Aplw.No.40 of 2012 in W.P.No.14857 of 2002.

3. Heard the learned counsel for the petitioner and the learned Senior



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Counsel appearing for respondents 1 and 2 and the learned Additional Government Pleader appearing for respondents 3 to 5 and perused the materials available on record.

4. It is seen that third party has filed these impleading petitions to implead him as a proposed 4<sup>th</sup> respondent in the above petitions. The main contention of the learned counsel for the petitioner is that the petitioner herein had entered into a sale agreement with the writ petitioners 1 and 2 in the year 1990 itself. However, the writ petition has been filed in the year 2002 and the first writ petitioner – Parvatha died on 28.01.2020. During the life-time of the deceased first petitioner, the petitioner herein has not come forward with these petitions to implead him as a proposed respondent.

5. It is seen that the petitioner herein has already filed a suit in O.S.No.375 of 2019 on the file of the Principal District Court, Salem for specific performance against the original writ petitioners herein.

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6. Under these circumstances, this Court is of the view that neither the petitioner is necessary party, nor formal party and his presence is not necessary to decide the Writ Petition and Review Application. Accordingly, these petitions are dismissed. However, the petitioner is at liberty to work out his remedy in the suit, which was filed seeking specific performance.

Post W.P.No.7529 of 2016 and Review Application No.40 of 2012 in W.P.No.14857 of 2002 on 08.12.2023.

**21.11.2023**

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