



W.M.P.No.32915 of 2022
in W.P.No.17746 of 2022

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R.SURESH KUMAR,J.

The present petitioners want to become the proposed respondents in the main writ petition on the ground that they are also the legal heirs along with the writ petitioner and since the main writ petitioner had challenged the order passed by the Revenue Divisional Officer, who canceled the patta which stood in the name of the kartha of the family, by impleading only two persons, who according to the writ petitioner were the complainants before the Revenue Authorities, which triggered them to pass such orders, which is impugned in the writ petition.

2. Therefore, the non-joining of the present petitioners, according to the learned counsel appearing for the present petitioners, would be fatal to the issue to be decided in the main writ petition as they are also the co-owners of the property concerned, therefore, they are necessary according to the learned counsel for the petitioner.

3. Even though the present petition is opposed by Mr.Abdul Saleem, learned counsel for the petitioner, who is the first respondent



herein, this Court having considered the facts and circumstances of the case is of the view that, the non-joinder of necessary parties always would be fatal to the issue that is to be decided and therefore, on that ground, in order to give a complete and effective adjudication of the issue raised in the main writ petition, the present petitioners, being the necessary parties, have to be impleaded and accordingly, this petition is ordered.

4. Registry is directed to carry out the necessary amendment and post the writ petition after two weeks.

10.02.2023

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