



A.NO.6326 OF 2023
IN
C.S.NO.366 OF 2021

N.SATHISH KUMAR, J.

This application has been filed to implead the tenant as a party to the Suit, which has been laid by the plaintiffs for partition.

2.The application has been filed by the defendant to implead the tenant. Counter affidavit has been filed by the first plaintiff opposing this application. The very purpose of the application filed by the applicant / defendant is to prove that the property is generating income and the proposed party is a tenant. Since the very intention of the applicant / defendant is to prove particular fact in a trial, this Court is of the view that the tenant is not a necessary party to decide the partition Suit. However, liberty is always available to the applicant / defendant to examine the tenant by summoning them to the Court to prove the tenancy and the nature of the rent given by them in respect of the Suit property.

3.With the above observation, this application is dismissed.

29.11.2023

(1/2)

TK



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