



WEB COPY



A.No.1133 of 2024

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in C.S.No.26 of 2023

N.SATHISH KUMAR, J.

This application has been filed by the third party/proposed defendant to implead himself as one of the defendant in the above suit.

2. The suit has been primarily laid challenging the letter dated 07.01.2023 issued by the fourth defendant communicating the Cessation of Trusteeship of the 1st Defendant Trust to the plaintiffs and for permanent injunction. The allegations mainly pertaining to the trustees. At this stage, this application has been filed by the third party as if he is espousing the cause of the public charitable trust. When the suit itself is for limited relief, at this stage, this Court is of the view that the applicant as a matter of right cannot implead himself as a defendant. The plaintiff, being the *dominus litis*, has to chose against whom he seeks relief.

3. Such view of the matter, as a matter of right, the third party cannot be impleaded as a defendant in somebody's suit. If at all, the applicant has to espouse the cause genuinely, there is no bar for him to establish his right in different proceedings, not here.



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4. Accordingly, this application stands dismissed.

07.03.2024

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