



C.R.P.(PD).No.3340 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.(PD).No.3340 of 2017
and C.M.P.No.15543 of 2017

K. Vasuki

... Petitioner

VS

1.Ellamal

2.Lakshmi

3.Arulmigu Kamatchi Amman Devastaham
Rep. by its Special Officer having office at
Bharathi Street, Puducherry – 1.

4.R.Sankar

5.R.Sekar ... Respondents

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to set aside the fair and decreetal orders dated 22.03.2017 made in I.A.No.3777 of 2012 in O.S.No.1074 of 2008 on the file of Principal District Munsif at Puducherry and allow this Civil Revision Petition.

For Petitioner : Mr.S.Satish

For R1 and R2 : Mr.R.Rajarajan

For R3 and R4 : No Appearance
For R5 : Died



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ORDER

WEB COPY The learned counsel for the petitioner submitted that already there is an order posting this revision along with C.R.P.SR.No.65421 of 2017. Even though the said order was passed on 15.09.2017, till date, the petitioner has not taken any steps to get the revision numbered. Therefore, this Court is proceeded to dispose of this civil revision petition separately.

2. The Civil Revision Petition is filed challenging the order passed by the Trial Court dismissing the application filed by the petitioner seeking her impleadment as a party defendant in the suit.

3. The respondents 1 to 2 filed a suit for partition against other respondents in O.S.No.1074 of 2008 and preliminary decree for partition was also passed. Thereafter, the petitioner herein claiming as a purchaser of the property prior to the suit, filed the instant impleading application. The petition for impleading has been dismissed by the Trial Court. It is also stated that another petition filed by the petitioner in I.A.No.3611 of 2012 seeking permission to participate in the final decree proceedings has been allowed by



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the Trial Court. The Trial Court also observed that the right if any of the petitioner will be decided in the final decree proceedings.

4. The preliminary decree has been already passed in the main suit and the petitioner has been permitted to participate in final decree proceedings in order to workout equity. In such circumstances, dismissal of the present application filed by the petitioner seeking her impleadment would not cause any prejudice to the petitioner. The preliminary decree is already passed. Hence, this Court is not inclined to interfere with the order impugned in this revision.

5. Accordingly, the Civil Revision Petition stands dismissed. No costs. Consequently, the connected civil miscellaneous petition is closed.

28.02.2024

Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
dm



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S.SOUNTHAR, J.

dm

To

The Principal District Munsif,
Puducherry.

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