



W.M.P.No.33748 of 2024

in

W.P.No.27935 of 2024

P.T.ASHA.J.

This implead petition has been filed by the proposed respondent on the basis that the writ petitioners' land which is the subject matter of the present writ petition is adjacent to the petitioner's land.

2. It is the case of the petitioner that there have been several legal proceedings and a suit is pending between the parties. Therefore, any order that is likely to be passed in this writ petition would have a direct bearing on him. The petitioner would further submit that the respondents 1 and 2/writ petitioners were fully aware about the cancellation of their assignment and they have deliberately made a false statement that they have no knowledge about the same. The petitioner would reiterate that the respondents 1 and 2/writ petitioners



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have no valid title over the properties either in S.No.376/1 or 376/3 since the property in Survey No.376/1 has been classified as “waste lands” in the revenue records and the land in S.No.376/3 stands in the name of the petitioner. The respondents 1 and 2/writ petitioners are squatting over the property comprised in Survey No.376/3, knowing fully well that it belongs to the petitioner. Therefore, the petitioner seeks to get himself impleaded in the writ petition.

3. The writ petitioners have filed a counter affidavit denying the allegations contained in the impleading petition. They would submit that the impugned order cancelling the assignment pertains to S.No.376/1 while the petitioner claims ownership of lands comprised in S.No.376/3. S.A.Nos.85 and 86 of 2017 filed by the petitioner was allowed on 18.03.2024 and the matter was remitted back to the first appellate Court. Therefore, they sought to have the implead petition dismissed.



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4. However, considering the grievance ventilated by the petitioner in the affidavit filed in support of the petition and having in mind the various legal proceedings between the parties, in the interest of justice, the petitioner also has to be heard. Accordingly, this implead petition is allowed. The Registry is directed to carry out the necessary amendment. Post the writ petition on 07.01.2025.

04.12.2024

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