



C.R.P.(MD)No.2106 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 17.10.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P.(MD)No.2106 of 2024

and

C.M.P.(MD)No.12000 of 2024

A.Thajudeen

... Petitioner / Petitioner / 1st Defendant

Vs.

1.Asan Farook

2.Asma Beevi

3.Mymoon Sariba

4.Barakath Nisha

5.Rahim Banu ... Respondents 1 to 5 / Respondents 1 to 5 / Plaintiffs

(R5's name is amended vide order dated 04.10.2024
in C.R.P.(MD)No.2106 of 2024 by GRSJ)

6.Hamitha Beevi

7.Kadhar Nisha

8.Mohammed Hanifa

9.Saitha Banu

10.Zamaliya Banu

11.The Sub-Registrar,
O/o.The Sub Registrar,
Perunazhi, Ramanathapruam District.

12.The District Collector,
Virudhunagar District,
Virudhunagar.

... Respondents 6 to 12 / Respondents 6 to 12 /
Defendants 2 to 18



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Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 02.02.2024 passed by the learned Principal District Munsif, Aruppukottai in I.A.No.5 of 2023 in O.S.No.71 of 2021 and set aside the same by allowing this Civil Revision Petition.

For Petitioner : Mr.B.Munneswaran

For Respondents : Mr.K.Sekar for R2 to R5
Mr.K.Balasubramani,
Spl. Government Pleader for R11 & R12.
No appearance for R1, R6 to R8.

* * *

ORDER

Heard both sides.

2.The first defendant in O.S.No.71 of 2021 on the file of Principal District Munsif Court, Aruppukottai the revision petitioner herein. The revision petitioner filed I.A.No.5 of 2023 for reception of additional written statement. The said I.A. was dismissed. Questioning the same, this civil revision petition came to be filed.

3.When the matter was taken up for hearing, the learned counsel for the plaintiffs submitted that he may have no objection for setting aside the



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impugned order and allow the civil revision petition. He however wanted this Court to bestow one indulgence. It appears that in the suit, the necessary parties have not been impleaded. He therefore sought leave to file an impleading application.

4.Taking into account the submissions made on either side, this civil revision petition is disposed of in the following terms:-

(a) The impugned order is set aside and I.A.No.5 of 2023 is allowed. The additional written statement filed by the revision petitioner shall be taken on record.

(b) The plaintiff is permitted to file an I.A. for impleading the necessary parties. If such an I.A. is filed within a period of two weeks from the date of receipt of a copy of this order, it shall be allowed by the Court below. No costs. Consequently, connected miscellaneous petition is closed.

17.10.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
ias



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G.R.SWAMINATHAN, J.

ias

To:

- 1.The Principal District Munsif Court,
Aruppukottai.
- 2.The Sub-Registrar,
O/o.The Sub Registrar,
Perunazhi, Ramanathapruam District.
- 3.The District Collector,
Virudhunagar District,
Virudhunagar.

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