



C.M.P.No.17743 of 2024
in
C.R.P.No.3142 of 2022

R.SAKTHIVEL.J.

Even though this Civil Miscellaneous Petition is not printed in the cause list, this Civil Miscellaneous Petition is taken up for disposal today.

2. Mr.D.Vijay, learned Counsel on Record for the Petitioner and Ms.R.Sree Vidhya, learned Counsel on Record for the second Respondent are before this Court.

3. Despite the names being printed in the cause list, Respondents 1 and 3 have neither appeared nor chosen to contest the Civil Revision Petition.

4. Mr.D.Vijay, learned Counsel appearing for the Petitioner submits that the Petitioner has in fact sold the vehicle bearing Registration No.KRQ-1562 in favour of the third Respondent after obtaining a No Objection Certificate from the Regional Transport Officer. Hence on the material date, i.e., May 5, 2015, the Petitioner was not the owner of the vehicle bearing Registration Number KRQ-1562. To decide the dispute effectively and the proposed party/third respondent is necessary party. Accordingly, he prays to allow the Civil



Miscellaneous Petition.

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5. Percontra, Ms.R.Sree Vidhya, learned Counsel for the second Respondent submits that the Petitioner/Shaji is the registered owner of the vehicle and that the third Respondent/Proposed Party is no way connected with the present proceedings. It is further submitted that the Petitioner has not produced any document to show that he sold the vehicle bearing Registration No.KRQ-1562 to the third Respondent. In the absence of any document or proof, impleading third Respondent in the main Civil Revision Petition would not help to either party or Court. Accordingly, the learned Counsel prays for dismissal of the C.M.P.

6. This Court has considered the submissions made on either side.

7. The question as to whether the Petitioner has sold the vehicle bearing Reg.No.KRQ 1562 in favour of the third Respondent/Stanley or not, is an issue that can be effectively adjudicated only in presence of the third Respondent/proposed party.

8. In view of the above circumstances, this Court is of the considered view that the presence of third Respondent is necessary for an effective



adjudication of the Civil Revision Petition. Hence, this Civil Miscellaneous
Petition is allowed.

16.12.2025

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Note: Registry shall carry out necessary amendment
in the main Civil Revision Petition and list the same
on **19.01.2026.**



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