



C.R.P.(PD)(MD)No.382 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.02.2025

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P.(PD)(MD)No.382 of 2025

Amirtham

...Petitioner/Petitioner/Plaintiff

Vs.

1.Hinduja Leyland Finance,
Represented by its
Managing Director,
1, Sardar Patel Road,
Guidy, Chennai City - 600 032.

2.Hinduja Leyland Finance,
Dindigul Branch,
Represented by its
Branch Manager,
Ashok Nagar,
Dindigul Town,
Dindigul District.

3.T.V.S.Sundaram Iyengar Son's Pvt Limited,
Represented by its Managher,
D.No.1918, 1919, 1940 Thadikombu,
Thadikombu Village,
Dindigul West Taluk,
Dindigul District.

...3rd Respondent/3rd Respondent/
Proposed 3rd Defendant



C.R.P.(PD)(MD)No.382 of 2025

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, against the Fair and Decreetal order passed in I.A.No.707 of 2022 in O.S.No.129 of 2019 on the file of the learned Principal District Munsif Court, Dindigul, dated 25.10.2024 and allow the present revision petition.

For Petitioner : M/s.R.Thangapandian

* * * * *

ORDER

The plaintiff in O.S.No.129 of 2019 on the file of the Principal District Munsif Court, Dindigul, is the revision petitioner herein.

2.The above said suit was filed as against the finance company seeking a permanent injunction not to repossess the suit vehicle in any manner by seizing it except under due process of law.

3.Pending suit, the plaintiff had left his vehicle with the proposed party who is a service centre for undertaking repair works. The original defendants/finance company has taken possession of the said vehicle from the service centre. In the said circumstances, the plaintiff had filed I.A.No.707 of 2022, seeking to implead the proposed party, namely, the service centre as third defendant in the suit. This application has been dismissed by the trial Court on the ground that there is no prayer as against the service centre. That apart, the



C.R.P.(PD)(MD)No.382 of 2025

vehicle has already been taken possession by the original defendants.

Challenging the same, the present revision petition has been filed.

4. According to the learned Counsel appearing for the revision petitioner, the vehicle was in possession of the service centre, when it was seized by the finance company. Therefore, for adjudicating the said dispute, the service centre is a necessary party.

5. This Court is of the considered opinion that no prayer has been sought for as against the service centre/proposed party in the main suit. In the said circumstances, impleading the service centre would not be necessary. Therefore, there are no merits in the revision petition. Accordingly, this Civil Revision Petition stands dismissed. No costs.

13.02.2025

Internet: Yes/No

Index: Yes/No

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C.R.P.(PD)(MD)No.382 of 2025

R.VIJAYAKUMAR, J.

RJR

To

The Principal District Munsif Court, Dindigul.

Copy to:-

The Section Officer,
VR Section,
Madurai Bench of Madras High Court, Madurai.

C.R.P.(PD)(MD)No.382 of 2025

13.02.2025