



CMP(MD) NO. 190 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17-03-2026

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

CMP(MD) NO. 190 of 2026

IN S.A.(MD)No.116 of 2024

1. B.Ramaiah,
Son of Balasubramanian
Door No.1/889
Sait Ibrahim Nagar
Ramanathapuram District Collector Officer Post
Ramanathapuram.

Petitioner(s)

Vs

1. Mehar Banu
Wife of Ameerkhan
East Street
Sathankulam Village
Ramanathapuram Taluk.

2. Ahamed Bazeer
Son of late Seenii Abdul
Door No.4/625
East Street
Sathankulam Village
Ramanathapuram Taluk.

3. Aluvudeen
Son of late Seenii Abdul
Door No.4/625
East Street
Sathankulam Village
Ramanathapuram Taluk.
Represented through his power agent
Aamina



Wife of Alavudeen
Door No.4/625
East Street
Sathankulam Village
Ramanathapuram Taluk.

4. Hamitha Banu
Wife of Ahamed Bazeer
Door No.4/625
East Street
Sathankulam Village
Ramanathapuram Taluk
Ramanathapuram District.
(Notice to the first respondent may be dispensed with)

Respondent(s)

For Petitioner(s):

J. Barathan
R. Raja
Abdul Hameed A

For Respondent(s):

No appearance for R2 & R3

Prayer:

To pass an order impleading the fourth respondent/proposed party in the main second appeal in S.A.(MD) No. 116 of 2024 and array her as the fourth respondent and thus render justice.

ORDER

Heard Mr.J.Barathan, learned Counsel for the petitioner / appellant.

2.I have also gone through the affidavit filed in support of the petition seeking impleadment of the fourth respondent as the fourth respondent in the Second Appeal.



3. According to the learned Counsel for the petitioner, the suit is one for declaration. Despite serving notice on the respondents in the Second Appeal, they have not chosen to appear either in person or through Counsel and since the appellant has come to know about the settlement deed in favour of the proposed respondent, the appellant seeks impleadment of the settlee, who claims under the settlement deed, which is subject to the doctrine of *lis pendence*.

4. I am satisfied that the fourth respondent would be a necessary party, especially since the respondents 1 to 3 who have no subsisting interest, have already settled the property in favour of the fourth respondent, who is now proposed to be impleaded as fourth respondent in the Second Appeal. Accordingly, this petition is allowed.

5. Registry is directed to carry out necessary amendments.

MR

17-03-2026



WEB COPY

To

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Ramanathapuram Taluk.

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