

In the Court of the Principal District Judge,

Principal District Court, Kancheepuram.

PRESENT: **Tmt. Deepthi Arivunithi, M.L.,**

Principal District Judge,

Principal District Court ,

Kancheepuram.

Thursday the 6th day of November 2025

IA.No.3/2023 in O.S. No.75/2023

G. Kasiran

...Petitioner/Plaintiff.

Vs

1. Geethalakshmi

2. S. Vijayakumar

3. R. Satya

... Respondents/ Defendants.

..Proposed 3rd Respondent/3rd Defendant.

This petition is coming on 17.10.2025 for final hearing before me in the presence of Thiru.M.K.Murali, Counsel appearing for the Petitioner and M/S. G. Subramani and Punithavalli, Counsels for the respondents 1 and 3 and M/s. L Sasikumar, K. Jayaprakash, S. Eswari, Counsels appearing for the 2nd respondent and upon hearing the arguments on both sides and upon perusal of records and having stood over the matter for consideration till this day, this court delivered the following

ORDER

Petition filed under Order I Rule 10 C.P.C. to implead the proposed third respondent as the 3rd defendant in the main suit.

2. The learned counsel for the petitioner/plaintiff would contend as follows. The main suit is filed by the petitioner/plaintiff for declaration of title and for consequential injunction restraining the defendants from interfering with their

peaceful possession and enjoyment of the suit property. The petitioner was under the bonafide impression that the existing defendants alone were interested in the suit property. Only on subsequent verification, the petitioner/plaintiff came to know that the proposed defendant also purchased a portion of the suit property as per registered sale deed dated 27.02.2023 from the second defendant through his power agent. Hence, the 3rd defendant is a necessary party to the present suit and therefore, that the present petition be allowed.

3. The learned counsel for the 3rd respondent/proposed party would contend as follows. The 3rd respondent purchased 720 sq.ft., out of the 800 sq.ft., being earmarked as Plot No.8 from the power agent of Mr. S. Vijayakumar. The title deeds were duly verified and the purchase was made by the 3rd respondent after due verification. After purchase of the land, the property was measured with the knowledge of the petitioner/plaintiff who also conveyed his no objection for the same. The property was then taken into possession by the 3rd respondent and has been in her possession and enjoyment till date. However, the petitioner/plaintiff has filed this vexatious suit claiming the relief of declaration and is trying to unnecessarily drag the 3rd respondent into this litigation. Hence, that the petition be dismissed.

4. Upon hearing both sides and having perused the materials on record, this court finds as follows. The main suit is filed by the petitioner/plaintiff claiming for a relief of declaration in respect of land admeasuring 2400 sq.ft. Admittedly, the 3rd respondent herein has purchased 720 sq.ft., of land. The present application is one for

impleading parties and therefore, it is unnecessary to go into the merits of the claim made by the parties. Suffice it to note that the 3rd respondent/proposed party is claiming ownership to a portion of the suit schedule property and since the relief claimed by the petitioner/plaintiff is one for declaration of title, the 3rd respondent/proposed party is to be considered as a necessary party to the suit. The presence of the 3rd respondent is also necessary for the purpose of effective adjudication of the present suit and in order to prevent multiplicity of proceedings. Hence, this court is of the considered opinion that the present petition has to be allowed without costs.

5. In result, this petition is allowed without costs.

//This order has been directly dictated by me to the Stenographer, typed by her in the computer, corrected and pronounced by me in the open Court on this the Thursday the 6th day of November 2025//

Principal District Judge,
Principal District Court,
Kancheepuram.

Exhibits and Witnesses on both side: NIL.

Principal District Judge,
Principal District Court,
Kancheepuram.

Draft/Fair Order
I.A.No.3/2023 in
O.S.No. 75/2021
D.D. 06.11.2025
Principal District Court ,
Kancheepuram.

