

**IN THE COURT OF ADDITIONAL DISTRICT JUDGE,
RAMANATHAPURAM.**

**PRESENT: Thiru.C.Mohanram, M.A., B.L.,
Additional District Judge,
Ramanathapuram.**

Tuesday, the 06th day of January 2026

**I.A. No.6/2025
in
O.S. No.51/2022**

Asan Aliyar

... Petitioner / Proposed
9th defendant

/Vs/

1. Lakshmanan

... 1st Respondent / Plaintiff

2. Saraswathi

3. Logeswari

4. Bhuvaneswari

5. Sharmila

6. Pavadharani

7. The Sub-Registrar, Ramanathapuram

8. The District Registrar, Ramanathapuram

9. The State, represented by its District Collector, Ramanathapuram

... Respondents 2 to 9 /
Defendants

This petition came up on 06.11.2025 before this Court for final hearing in the presence of Thiru.M.Mohaideen Ibramsha, Advocate for the petitioner and Thiru.K.Nagarajan, Advocate for the 1st respondent and Thiru.M.Senthil Kumar, Advocate for the respondents 2, 4 to 6 and Thiru.S.Dhanasekaran,

Advocate for the 3rd respondent and upon hearing both side arguments and upon perusal of petition, counter and case records, this Court delivers the following:

ORDER

Petition has been filed under Or.1 R.10(2) CPC.

2. The petitioner is proposed 9th defendant. It is the case of the petitioner / proposed 9th defendant that he entered into a Sale agreement with respondents 1 and 2 on 10.01.2022 and the respondents 1 and 2 have been dodging to execute Sale deed as per Sale agreement dated 10.01.2022. In the meanwhile, the 2nd respondent has executed Sale deeds in favour of respondents 3 to 6 and the 1st respondent has filed a suit for partition and declaration of Sale deeds alleged to have been executed by 2nd respondent in favour of respondents 3 to 6 as not valid. As the respondents 1 and 2 have executed Sale agreement in his favour, he is the necessary party to the suit. Unless he is allowed to be impleaded as a party, he would put into undue injury and hardship and therefore he prays to allow the petition as prayed for.

3. The 1st respondent / plaintiff has endorsed no objection. The other respondents have objected to implead the petitioner / proposed party / proposed 9th defendant as a party to the suit on the ground that the petitioner /

proposed party is not a necessary party to adjudicate the issue to be decided in the suit for partition and therefore they pray for dismissal of the petition.

4. Point for consideration is Whether this petition is liable to be allowed as prayed for.

5. It is an admitted case that the main suit was filed for partition by 1st respondent. The 1st respondent has filed the suit against the respondents 2 to 6 claiming his 1/4th share. It is the specific case of the respondents 2 to 6 that the 1st respondent has not disclosed the Sale agreement alleged to have been in favour of petitioner / proposed 9th defendant in the plaint. The 1st respondent with the connivance of this petitioner has orchestrated the petitioner / proposed party / proposed 9th defendant to file this application. The petitioner / proposed party instead of filing a suit for specific performance on the basis of the Sale agreement dated 10.01.2022, he has filed this application to implead himself as a party who has no interest and his presence is not necessary to adjudicate the issues involved in the suit.

6. Considering the fact that the 1st respondent / plaintiff has endorsed no objection, this Court is of the considered view that this petition has no merits and petition deserves for dismissal.

In the result, this petition is dismissed.

Dictated to the Steno-Typist, transcribed and typed by her in the Computer, corrected by me and pronounced by me in the open court, on this the 06th day of January 2026.

Additional District Judge,
Ramanathapuram.
06.01.2026

List of witness and document on either side :

Nil

Additional District Judge,
Ramanathapuram.
06.01.2026