

WEB COPY

CRP No. 2441 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-04-2026

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 2441 of 2025

AND

CMP NO. 14000 OF 2025

J.Lalitha Bai

W/o. M.Jeevaraj No. 22/A, Kasi Vishwanathar
Kovil Street, Vellore, 632 004

..Petitioner(s)

Vs

1. S.Ramani

W/o. R.S.Sridhar, No. 1, Kalar Medu Street,
Pallikuppam Village and Post, Katpadi Taluk,
Vellore Dist.

2. P.Settu

S/o. Late. Parasurama Gounder, L.G.Pudur
Village, Karasamangalam Post, Katpadi Taluk,
Vellore Dist.

3. V.K. Munusamy

S/o. Late.V.M.Kuppusamy Gounder
Eachamaram Stop, Melvadugankuttai, hamlet
of Jabrapettai, Karasamangalam Post, Katpadi
Taluk, Vellore Dist.

4. E.Susheela

D/o. Late.Ellappan
L.G.Pudur Village, Karasamangalam Post,
Katpadi Taluk, Vellore Dist.

5. V.Devan

S/o. Velavutham, Maiyapattu Village, Via-
Latheri, Katpadi Taluk, Vellore Dist.

..Respondent(s)

**CRP No. 2441 of 2025**

To set aside the order dated 17.03.2020 passed in I.A No. 125 of 2019 in O.S. No. 739 of 2009 on the file of the Honble District Munsif, Katpadi.

CMP No. 14000 of 2025

To grant a stay of all further proceedings in O.S. No. 739 of 2009 on the file of the Honble District Munsif, Katpadi pending disposal of the above CRP.

CRP No. 2441 of 2025

For Petitioner(s): Mr.A.Neeraj

For Respondent(s): Mr.S.Ranjithkumar For R1 And R3
R2 - No Appearance
R4 - Deceased
R5 - Notice Sent Service Awaited

ORDER

This Civil Revision Petition has been filed to set aside the order dated 17.03.2020 passed in I.A No. 125 of 2019 in O.S. No. 739 of 2009 on the file of the Honble District Munsif, Katpadi.

2. The learned counsel for the petitioner would submit that the suit in O.S. No.739 of 2009 has been filed by the plaintiff/1st respondent herein seeking for declaration and mandatory injunction on the file of the Court of District Munsif, Katpadi. Since the petitioner is a bona-fide purchaser of the suit schedule property for valuable consideration by virtue of Sale Deed dated 16.11.2009 executed by the 4th defendant and at the time of purchasing of suit property, she had no knowledge of the aforesaid pendency of the suit, she filed the application in I.A. No.125 of 2019 seeking to implead the petitioner as 5th



defendant in the main suit to avoid multiplicity of civil proceedings. However, without considering the aforesaid facts, the Trial Court erroneously dismissed the aforesaid application holding that the petitioner has purchased the suit property during the pendency of the suit and she was not a necessary party to the suit proceedings. If the petitioner is not impleaded in the main suit, the right of the bona-fide purchaser may be ignored and it causes significant hardship and prejudice to the petitioner. Hence, he prays to set aside the order dated 17.03.2020 in I.A No. 125 of 2019 in O.S. No. 739 of 2009 passed by the Trial Court.

3.The learned counsel for the respondents would submit that while the suit is pending in the year 2009, the petitioner has purchased the suit property. Further, the necessary parties in the suit have already been cross examined and after completion of recording of all evidence, the petitioner has come forward with the impleading petition with the intention to drag on the Trial proceedings. Hence, the Trial Court has rightly dismissed the aforesaid application.

4. Heard both sides and perused the materials available on record.

5. On perusal of the records, it is seen that the suit has been filed by the 1st respondent/plaintiff seeking for declaration and mandatory injunction in the year 2009. The petitioner has purchased the suit property pending the main suit



from the 4th defendant in the same year. Further, admittedly, the 4th defendant has not mentioned anything about the sale proceed transaction in the Written Statement and suppressed the aforesaid facts. Despite the evidence is completed, the petitioner being a bona-fide purchaser of the suit property vide Sale Deed dated 16.11.2009, is entitled to defence the case to prove his claim over the suit schedule property before conclusion of the Trial, to avoid the multiplicity of proceedings. Hence, this Court is inclined to implead the petitioner in the main suit as 5th defendant, to raise all his defence by filing Written Statement and additional written statement if any, before the Trial Court. Since the evidence has already been completed, the Trial Court is hereby directed to dispose of the case within a period of eight weeks from the date of receipt of copy of this order after recording the evidence of the proposed 5th defendant, without giving unnecessary adjournments.

6. With the aforesaid directions, this Civil Revision Petition is disposed of.

Consequently, connected miscellaneous petition is closed. No costs.

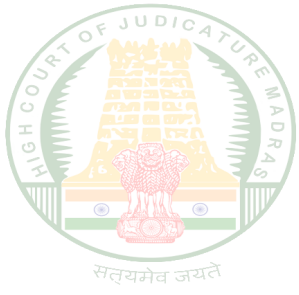
06-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

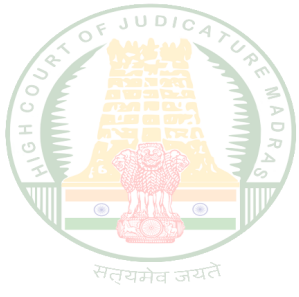
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