



WEB COPY



CRP.No.4987 of 2025 and CMP.No.25209 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

CRP.No.4987 of 2025

and

CMP.No.25209 of 2025

1. Shanmugasundram Muthuswamy
2. Karthick
3. J. Narayanan
4. Sathiyandarayanan
5. A.L.Sathish Kumar
6. Pooranapushkalambal

... Petitioners / Respondents / Plaintiffs

Versus

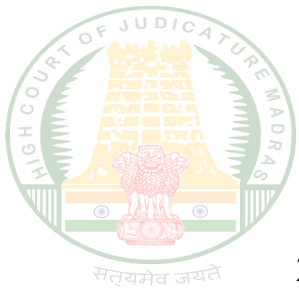
1. S. Nizam Uthin
2. G.Ramalingam
3. Ilavarasan
4. V.Loganathan
5. V.Sivakumar
6. Kannan

... Respondents / Petitioners / Defendants

For Petitioners : Mr.Subramanian

ORDER

Unsuccessful plaintiffs have preferred the present Civil Revision
Petition.



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2. The revision petitioners / plaintiffs filed a suit in O.S.No.5140 of 2024 on the file of the VII Additional City Civil Court, Chennai, seeking recovery of money for a sum of Rs.11,00,000/- with interest. The defendants filed an application in I.A.No.01 of 2024 in O.S.No.5140 of 2024 under Order XXXVII Rule 3 Sub-Rule 5 r/w Section 151 of the CPC, seeking leave to the defendants to defend the suit. Upon hearing either side, The Court below, *vide* order dated 30.06.2025, allowed the petition on the ground that the transfer of money towards the property could be decided only during trial. Aggrieved over the same, the revision petitioners / plaintiffs have filed the present revision petition.

3. The learned counsel appearing for the revision petitioners would submit that the Court below failed to consider that the payment received as part consideration by the defendants was made by the plaintiffs. The Court below also ignored the clear admission made by the defendants regarding the receipt of part of the sale consideration.

4. Upon considering the arguments advanced by the learned counsel for



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the revision petitioners, this Court is of the view that the petitioners have made out a *prima facie* case for the grant of interim stay and the balance of convenience is also in favour of the petitioners and irreparable loss would be caused to the petitioners, if no interim stay is granted. Therefore, there shall be an order of interim stay till 17.11.2025.

5. Issue notice to the respondents returnable by 17.11.2025. Private notice is also permitted.

6. Post this matter on 17.11.2025.

17.10.2025

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Index : Yes/No

Speaking order : Yes/No

Neutral Case Citation : Yes/No

To

The learned VII Additional City Civil Court, Chennai.

M. JOTHIRAMAN, J.

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3/4



WEB COPY



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