



C.R.P.No.5989 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2025

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.5989 of 2025

and

C.M.P.No.29675 of 2025

C.Praveenkumar

... Petitioner

Vs.

1. P.Manickam

G.Ramakrishnan (died)

2. G.Amaresan

3. Anusuya

4. Satheesh

5. Santhi

6. Saradha

7. Santha @ Pachaiaammal

... Respondents

PRAYER: Civil Revision Petition filed Article 227 of Constitution of India, to set aside the order passed in I.A.No.06 of 2025 in O.S.No.99 of 2008, wherein the fair and decretal order dated 14.10.2025 passed by the learned District Munsif, Sholinghur.

For Petitioner : Mr.D.Babu Varadharajan



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ORDER

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The Civil Revision Petition is filed challenging the order passed by the District Munsif, Sholinghur, allowing the application filed by the first respondent/plaintiff seeking to re-open the case for the purpose of impleading the female heirs of the deceased Govindappa Naidu.

2. The first respondent herein had filed a suit in O.S.No.99 of 2008 for specific performance against the petitioner and the other respondents herein. During the pendency of the suit, the first defendant in the suit namely Ramakrishnan died, and his legal representatives were brought on record as defendants 4 to 6 (respondents 3 to 5 herein). In the additional written statement filed by the legal representatives, an objection was raised regarding the non-impleadment of the female heirs of the said Govindappa Naidu.

3. Therefore, the instant application has been filed by the first respondent/plaintiff seeking to implead the female heirs of the deceased Govindappa Naidu namely respondents 6 and 7 herein. In order to give effect to the impleadment, an application was also filed to re-open the



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case and both these application were allowed by the trial Court on payment of costs of Rs.3,000/- to the respondents therein. Aggrieved by the same, the petitioner has come forward with the present revision petition.

4. The learned counsel appearing for the petitioner vehemently contended that the non-joinder of the necessary parties i.e., female heirs of deceased Govindappa Naidu had been mentioned long back by the contesting defendants in their written statement. However, the first respondent/plaintiff failed to take any steps to implead the said female heirs all along the pendency of the suit. Therefore, the petition to re-open and implead the female heirs ought not to have been allowed.

5. It is seen from the typed set of papers that the suit was originally filed against the male heirs of Govindappa Naidu by the first respondent/plaintiff. Therefore, the estate of Govindappa Naidu was sufficiently represented. However, an objection was subsequently, raised by the male heirs of Govindappa Naidu that the female heirs had been left out. In order to avoid technical difficulty arising from such an objection,



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the first respondent/plaintiff filed an application seeking to implead the female heirs along with a petition to re-open the case. However, the said petitions were filed belatedly, at the stage of pronouncement of judgment.

6. Taking into consideration the long delay on the part of the first respondent/plaintiff in filing the applications, the trial Court allowed the same by imposing costs of Rs.3,000/- on the first respondent/plaintiff. Since the female heirs of the original agreement holder, Govindappa Naid, are necessary parties to the suit to avoid any difficulty at the time of execution, their presence is essential. Therefore, this Court feels that in order to have comprehensive adjudication of *lis*, the female heirs shall be added.

7. Taking into consideration the delay on the part of the first respondent/plaintiff, he has been imposed with costs. Hence, I do not find any merit, irregularity or illegality in the order passed by the trial Court. Accordingly, the Civil Revision Petition is dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.



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8. Taking into consideration, the suit is of the year 2008 and the application for impleadment was filed by the first respondent/plaintiff at the stage of pronouncement of judgment, this Court is inclined to direct the trial Court to dispose of the suit in O.S.No.99 of 2008 as expeditiously as possible.

26.11.2025

Index: Yes/No
Speaking order/Non-speaking order
Neutral Citation: Yes/No
ms

To

The District Munsif,
Sholinghur.



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S.SOUNTHAR, J.
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