

CRP No. 2229 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-04-2026

WEB COPY

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 2229 of 2026

AND

CMP NO. 9727 OF 2026

1. Kubendran

S/o. late. Chinnasamy Kolavalli Village
and Post Karimangalam Taluk
Dharmapuri Dist.

2. Suguna

W/o. Kubendran Kolavalli Village and
Post Karimangalam Taluk Dharmapuri
Dist.

Petitioner(s)

Vs

1. K.Sakthivel

S/o. Krishnan Kolavalli Village and
Post Karimangalam Taluk Dharmapuri
Dist.

2.Aravindh Kumar

S/o. Kubendran D.No. 279, Kolavalli
Village and Post Karimangalam Taluk
Dharmapuri Dist.

3.Karthick

S/o. Kubendran D.No. 279, Old No.
1/387, Kolavalli Village and Post
Karimangalam Taluk Dharmapuri Dist.

4.Sudha

W/o. Govindhan D/o. Kubendran D.No.
1/503, Kolavalli Village and Post
Karimangalam Taluk Dharmapuri Dist.

Respondent(s)



CRP No. 2229 of 2026

PRAYER

To set aside the Fair and Decreetal Order passed by the made in I.A. No. 01 of 2025 in OS No. 305 of 2023 on the file of the Learned Subordinate Court, Palacode and to allow the Interlocutory Application.

CRP No. 2229 of 2026

For Petitioner(s): Mr.J. Pradeep

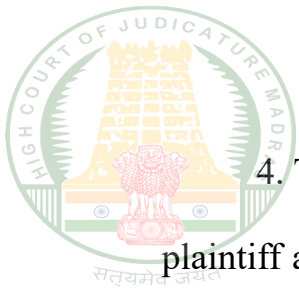
For Respondent(s):

ORDER

This Civil Revision Petition has been filed seeking to set aside the Fair and Decreetal Order passed by the made in I.A. No. 01 of 2025 in OS No. 305 of 2023 on the file of the Learned Subordinate Court, Palacode.

2. The petitioners herein filed I.A. No. 01 of 2025 in O.S. No. 305 of 2023 on the file of the learned Subordinate Court, Palacode, under Order I Rule 10 read with Section 151 of the Code of Civil Procedure (CPC), seeking to implead the proposed parties as defendants in the suit. Upon hearing both sides, the Trial Court dismissed the application, noting that the suit was already posted for arguments. The Trial Court further observed that no new witnesses or documents were produced to support the application, and that the petitioners sought to implead the defendant's family members without sufficient justification or necessity.

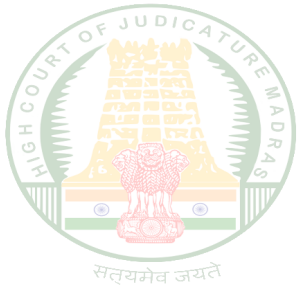
3. Aggrieved by the said dismissal, the petitioners have filed this Civil Revision Petition.



4. The learned counsel for the petitioners submits that during the trial, the plaintiff alleged that the sale could not be completed due to interference caused by the defendant's son. To disprove this allegation, the petitioners sought to implead the proposed parties. However, the court below erroneously observed that the application lacked supporting material and was filed belatedly at the stage of arguments. The counsel contends that if an opportunity is not granted, the petitioners' valuable right to defend the suit will be defeated. Hence, he prays to allow this petition.

5. Heard the learned counsel for the petitioners and perused the materials available on record.

6. According to the petitioners, the plaintiff made a false statement claiming that the defendant's son caused interference to execute the sale deeds. To disprove this aspect, the defendant is entitled to examine his son as a witness on his side. Now, the main suit is posted for arguments. Therefore, instead of impleading the proposed parties as defendants, this Court deems it fit to grant liberty to the defendant to examine his son as a witness. Liberty is also granted to the respondent/plaintiff to cross-examine the said witness, strictly limited to this aspect. The Trial Court is permitted to proceed with the matter as expeditiously as possible.



WEB COPY

7. In the result, this Civil Revision Petition is disposed of with the above directions. No costs. Consequently, connected pending petitions, if any, are closed.

29-04-2026

pbl

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Subordinate Court, Palacode

2 The Section Officer, V. R Section, High Court, Madras.



WEB COPY

CRP No. 2229 of 2026



T.V.THAMILSELVI J.
pbl

**CRP No. 2229 of 2026
AND CMP NO. 9727 OF
2026**

29-04-2026