



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-08-2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

Civil Revision Petition Nos.566 & 575 of 2023

and

C.M.P.No.4634 of 2023

1. Vimala Bai
2. T.Jawrilal Bafna
3. Saroja
4. T.Jaswanth Kumar Bafna
5. T.Rajendra Bafna
6. T.Mahaveer Bafna
7. T.Varthaman Bafna
8. Sunitha

..Petitioners in both
revisions

Vs

1. The Reliance Industries Ltd
3rd Floor Maker Chamber-IV,
222, Nariman Point,
Mumbai-400021.
2. Subash Surana
3. Bhagubhai Harilal Shah
(Jt.) Kusum Bhagubhai Shah
4. Sumanlal Nimchand
(JL) Maheshchandra Nimchand Shah
5. Kayan Holding Pvt Ltd
7, Lyons Range, Calcutta- 700 001.



6. Suryakant Dalmia
7. Rashi Trdg Co Pvt Ltd
84-A, Mittal Court, 224,
Nariman Pint, Mumbai- 400 021.
8. Aruna Nimesh Kampani
(Jt.) Nimesh Nagindas Kampani
9. MC Gupta
(J.) SC Aggarwal
10. Stock Holding Corpn. of India Ltd.,
A/c SBI Mutual Fund,
224 Mittal Court B Wing,
2nd Floor, Nariman Point,
Mumbai - 400 021.
11. Sharda Motor Industries Ltd.,
B 238, Okhla Industrial Area Phase 1,
New Delhi-110 020.
12. Manubhai N Patel
13. Asha Toshniwal
14. Ramesh M Kothari (Jt.)
Rekha R Kothari
15. The Arvind Mills Ltd.,
Naroda Road, Ahmedabad-380 025.
16. Shriram Commercial Ltd.,
C/o. Ramrakh R Bohm Rotunda PS 10
2nd Floor, BS Marg Fort, Mumbai-400 001.
17. Jaysingh Chandriani
(Jt.) Pragha Chandriani
18. Kartik Kirtikumar Parekh
19. Hiralal Amritlal Kotadia



20.Sarladevi M Jhunjhunwala
(Jt.) Madhusudan Jhunjhunwala

21.Jaysinh Chandriani
(Jt.) Kalyanji Chandriani

22.Jagjit Singh

23.Jignesh Domadia

24.Pinakini Share and Stock Brokers Ltd
1-10-60/3 Suryodaya Begumpet,
Hyderabad- 500 016.

25.Praven Jain

26.N Ramesh

27.The Great East Shipping Co. Ltd.,
Ocean House, 81, D N Road,
Mumbai- 400 001.

28.M Dharmchand

29.Prabha Gupta

30.Tolani Bulk Carriers Ltd.,
10 A, Bakhtawar Nariman Point,
Mumbai-400 021.

31.Square D Holding Limited,
G.R. Complex II Floor 407/408,
Anna Salai, Nandanam,
Madras-600 035.

32.Advantage Advisers India Fund Inc,
Building Deutsche Bank Ground Floor Mhatre Pen F,
Tulsi Pipe Road, Dadar, West Mumbai-400 028.

33.Nalini Desikan
(Jt) MR Srinivasan

34.Narain Singh Ahluwalia



35. Wilmington Trust Company as Trustee
For E.I. Dupont Denemours and Company
Pension Trust Fund Deutsche Bank AG Ground Floor
Mhatre Pen Bldg, Tulsi Pipe Road, Dadar (W),
Mumbai-400002

36. Ashwin Kumar Kothari

37. MK Jain

38. Merrill Lynch International Equity Fund
Citi Bank NA (Custody Services) C/O. Sultanallys
Business Centre Barodawala Mansion Dr. Annie
Besant Road Worli, Mumbai-400 018

39. Curlew Finance and Investments Pvt. Ltd.,
95, Marine Drive 4-Shanti Niketan,
Mumbai 400 002.

40. Trikaya Grey Advertising (1) Ltd.,
Block 2-D 3rd Floor Phoenix Estate,
462, Tulsi Pipe Road, Bombay - 400 013.

41. Mandar Rajendra Joshi
(Jt) Irohini Rajendra Joshi

42. Gunavanthi Baby

..Respondents in
C.R.P.No.566 of 2023

1. The Reliance Industries Ltd.,
3rd Floor, Maker Chamber-IV,
222, Nariman Point, Mumbai-400 021.

2. Subash Surana

3. The Karvy Computer Shares
United Reliance Industries (Legal Cell), Karvy
Selenium Tower B, Plot No.31, 32, Financial
District, Nanakramguda, Gachibowli,
Hyderabad-500 032.

..Respondents in
C.R.P.No.575 of 2023



Civil Revision Petitions filed under Article 227 of the Constitution of India against the fair order and decreetal order passed in I.A No.1 of 2020 in O.S.No.6040 of 2019 dated 07.11.2022 and I.A No.2 of 2022 in O.S.No.6040 of 2019 dated 14.11.2022 by the learned XIX Additional Judge, City Civil Court, Chennai.

For Petitioners : Mr.S.Rajendra Kumar
[in both revisions] for M/s.Norton & Grant

For Respondents :
[R6 in C.R.P.No.575 of 2023] Mrs.Mithreyi Kasthuri Rangan
[Other respondents No appearance
in both revisions]

COMMON ORDER

These civil revision petitions have been filed under Article 227 of the Constitution of India against the orders passed by learned XIX Additional Judge, City Civil Court, Chennai, in I.A.Nos.1 of 2020 and 2 of 2022 in O.S.No.6040 of 2019 dated 07.11.2022 and 14.11.2022 respectively wherein the applications filed by the petitioners under Order 1 Rule 10(2) CPC for impleading certain parties as proposed defendants came to be dismissed by the Court below.

2. Heard learned counsel for petitioners, learned counsel for sixth respondent and carefully perused the materials available on record. This Court also went through the impugned order.



3. The petitioners are the plaintiffs in the suit filed in O.S.No.6040 of 2019 seeking the relief of declaration that the plaintiffs are the lawful owners of the shares mentioned in the schedule and any transfer effected in favour of any person is null and void and not binding on the plaintiffs and for mandatory injunction and permanent injunction. The suit was filed with a cause of action that the plaintiffs had purchased shares on various dates and subsequently, all the shares were taken away by the second defendant and the representation made by the petitioners to the first defendant also did not evoke any response. It is under these circumstances, the suit came to be filed before the Court below.

4. During the pendency of this suit, I.A.No.1 of 2020 came to be filed by the petitioners to implead respondents 3 to 42 as defendants 3 to 42 in the suit. I.A.No.2 of 2022 came to be filed to implead one Karvy Computer Shares as the third defendant in the suit. Both these applications came to be dismissed by the Court below and aggrieved by the same, the present revisions have been filed.

5. The application in I.A.No.1 of 2020 came to be filed on the ground that an attempt was made to resolve the dispute amicably and at that point of time, the first defendant gave the particulars of the persons/entities in whose names the shares have been transferred and therefore, the petitioners wanted to implead all those persons in whose names the shares were transferred. I.A.No.2 of 2022 came to be filed on the ground that Karvy Computer Shares was engaged in the



transfer of shares and the necessary particulars regarding transfer of share are available only with Karvy Computer Shares and therefore, they are necessary party in the proceedings.

6. The Court below dismissed I.A.No.1 of 2020 mainly on the ground that there were no materials placed before the Court below to substantiate that the shares were transferred in favour of the proposed defendants 3 to 42.

7. Insofar as dismissal of I.A.No.2 of 2022 is concerned, the Court below came to a conclusion that the involvement of the proposed third defendant came to an end twenty years back when the proposed defendant acted as a transfer agent and therefore, at this length of time, the proposed third defendant is neither a necessary nor a proper party to the proceedings.

8. Insofar as C.R.P.No.575 of 2023 is concerned, this Court does not find any perversity in the order passed in I.A.No.2 of 2022. If at all the proposed third defendant is sought to be impleaded as a defendant on the ground that the said company/entity alone has the particulars of transfer of shares, at the best, the said company/entity may be a necessary witness, but, by no stretch can be termed as a necessary party much less a proper party. A necessary witness in a case need not be impleaded as a defendant in the suit and the concerned party can only be called as a witness, who can be examined. It will be left open to the



petitioners to call the proposed third defendant as a witness and seek all the necessary particulars regarding transfer of shares made along with documents.

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9. Insofar as the implead petition filed in I.A.No.1 of 2020 is concerned, it is more or less a wild goose chase. The petitioners are attempting to implead the proposed defendants 3 to 42 based on some particulars given by first defendant. Such transfer of shares is not going to confine itself only to the proposed defendants 3 to 42 and such transfer will continue multifold to other parties also and it will become an endless exercise to keep on impleading parties based on transfer that is made. This will not in any way help the petitioners to get to the logical end of the suit. In any event, in spite of the names being furnished by the first defendant, the counsel, who is now appearing on behalf of the sixth respondent, who is one of the proposed party, states that there are no shares available with the sixth respondent. It is only one of the sample which shows that by impleading all these parties, it is not really going to bring any relief to the petitioners. Ultimately, if the petitioners are able to get the relief as sought for in the suit, it will be possible for the petitioners to workout the remedy with that decree. On the other hand, if the petitioners are going to file impleading petitions, it is going to be a never ending process and the suit will never get disposed of in the near future.

10. In the light of the above discussion, this Court does not find any



perversity in the orders passed by the Court below to the effect that there were no effective materials available to implead the proposed defendants. Hence, this Court is not inclined to exercise its jurisdiction under Article 227 of the Constitution of India to interfere with the order passed by the Court below.

11. In the light of the above discussion, the orders passed by the Court below are sustained in both the revisions. Considering the fact that the suit is pending from the year 1996, there shall be a direction to the learned XIX Additional Judge, City Civil Court, to dispose of the suit within a period of six (6) months from the date of receipt of a copy of this order.

These civil revision petitions are disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

17-08-2026

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

To
The XIX Additional Judge,
City Civil Court, Chennai.



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CRP Nos.566 & 575 of 2



N.ANAND VENKATESH, J.

gm

Civil Revision Petition Nos.566 & 575 of 2023

17-08-2026