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CRP No. 5000 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-08-2026

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

**CRP No. 5000 of 2025
and CMP No. 25264 of 2025**

M.Ramesh

Petitioner(s)

Vs

1.M/s.Sri Valli Vilas Mvt Sons
Cuddalore, Rep.by its Authorised
Signatory/Managing Partner Srinivasan,
having Registered Office at No.43 and
44, Lawrence Road, Cuddalore 2.

2.R.A.Swarnamalya

3.R.A.Lakshnamalya

Respondent(s)

PRAYER Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order dated 10.9.2025 passed in IA.No.107/2025 in OS.No.64/2024 on the file of the Additional District Munsif, Cuddalore.

For Petitioner(s): Mr.K.V.Babu

For Respondent(s): Mr.Sharath Chandran for R1



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ORDER

This Civil Revision Petition has been filed under Article 227 of the Constitution of India against the fair and decreetal order dated 10.9.2025 passed in IA.No.107/2025 in OS.No.64/2024 on the file of the Additional District Munsif, Cuddalore, wherein the Court below dismissed the application filed by the petitioner under Order I Rule 10(2) of C.P.C.

2.Heard the learned counsel for the petitioner and the learned counsel for the 1st respondent and carefully perused the materials available on record and this Court also carefully went through the order passed by the Court below.

3.The 1st respondent is the plaintiff in the suit filed in O.S.No.64 of 2024 seeking for the relief of permanent injunction restraining the defendants from entering into the Firm without prior approval of all the partners and interfering with the day-to-day affairs of the administration of the partnership firm.

4.During the pendency of the above suit, the petitioner filed IA No.107 of 2025 on the ground that there are totally five managing partners in the firm and the petitioner is one of the managing partner and since the case involves the interest of the firm, the petitioner is a necessary party to the proceedings.



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5.The Court below, by order dated 10.09.2025, dismissed this application and aggrieved by the same, the present Civil Revision Petition has been filed before this Court.

6.The main ground that was urged on the side of the petitioner is that the overall dispute pertains to the partnership firm, in which the petitioner is also one on the managing partner and therefore, the petitioner is a necessary and proper party.

7.Per contra, the learned counsel for the respondents submitted that for the nature of relief that has been sought for in the present suit as against the defendants, the petitioner will not have any say in this case.

8.In the considered view of this Court, the entire dispute revolves around a partnership firm and the relief sought for is to restrain the defendants from entering the firm. The petitioner claim to be one of the managing partners. The petitioner is a proper party to the proceedings since he may have a say on the right of defendants qua the firm and the order passed by the Court below to the effect that the presence of the petitioner will change the entire nature of the suit and introduce the new cause of action, suffers from perversity and is liable to be



interfered by this Court.

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9.In the result, the fair and decreetal order dated 10.9.2025 passed in IA.No.107/2025 in OS.No.64/2024 on the file of the Additional District Munsif, Cuddalore, is hereby set aside and this Civil Revision Petition is allowed. The order passed in the Civil Revision Petition will not stand in the way of the parties raising all the issues before the Court below which will be considered on its own merits and in accordance with law. No Costs. Consequently, the connected miscellaneous petition is closed.

20-08-2026

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

The Additional District Munsif,
Cuddalore.

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N.ANAND VENKATESH J.

SSR

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