



Rev.Aplc(MD)No.45 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 08.08.2023

Coram:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN
and
THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Rev.Aplc(MD)No.45 of 2023
in
C.M.P.(MD)No.4328 of 2022
in
A.S.(MD)No.56 of 2010

S.V.Gandhi

.. Petitioner/proposed
45th respondent

/versus/

G.Subbaraj(died)

.. 1st Appellant in A.S.

Tamilselvan @ Subba Reddy(died)

.. 2nd Appellant in A.S.

1.Sasikala Devi
2.Valarmathi Devi
3.Malarvizhi Devi
4.Kothaiselvi
5.Lakshmi Prabha
6.T.Kavitha
7.Minor S.T.Guruprasath
S/o Late Tamilselvam @ Subba Reddy
8.Minor S.T.Guruprasanna
S/o Late Tamilselvan @ Subba Reddy

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(Minor rep.by their minor and guardian
the 6th respondent)

.. Repondent 1 to 8/
Appellant 3 to 10

Ramachandran(died)
KothaiAmmal (died)

9.S.Govindarajulu
10.E.Singama Reddy

11.The Deputy Director of Veterinary Department,
5-1-45(Upstairs) Main Road,
Neerethan, T.Vadipatty P.O.& Taluk,
Madurai District.

12.T.Kandan
13.R.Bharathi
14.S.Shanmugam
15.V.Muthusamy
16.A.Paulraj
17.A.Pandi
18.S.Perumal
19.N.Alagarsamy Reddiar
20.M.Singara Velu
21.K.Krishnan
22.A.VairaPillai
23.The Manager,
Sarvothaya Khadhi Vastiralayam,
7-7-34 Main Road,
Neerethan, T.Vadipatty P.O.& Taluk,
Madurai District.
24.V.Durasami Asari
25.R.Vellaichamy
26.P.Gowri Ammal
27.M/s N.Selvam and Brothers
28.Muthaliff

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29.Krishnan

30.P.Shanmugam

31.B.Murali

32.S.Kalyanikonar

33.V.Govindaraj

34.K.Pandi

35.M/s Pandian Rubber and Allied Industries
W/4-B7/209, Periyakulam Road,
Theni.

36.M/s Kottaiyam Rubber Work,
74-75, Periyakulam Road,
Theni.

37.M.Rajendran

38.M/s Meena Sweets,
52, NRT Road, NRT Nagar,
Thenai.

39.R.Selvaraj

40.Seetharaman
41.R.Rengasamy
42.P.Govindan Chettiyar

43.R.Karunanidhi

44.R.Karuppiyah Servai

45.R.Venkatasamy Reddiyar

46.A.Arokiyasamy

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47.Bank of India,
Vadipatti Branch, Main Road,
T.Vadipatty P.O.& Taluk,
Madurai District.

48.Central Bank of India,
Vadipatti Branch, Main Road,
T.Vadipatty P.O.& Taluk,
Madurai District.

49.Canara Bank,
Main Branch,
Pandiyan House,
Madurai Town.

50.Tmt.Papammal
(Respondents 9 to 49 as given up) .. Respondents 9 to 50/
Respondents 3 to 44

Prayer: Review Application has been filed under Order 47 Rule 1 r/w
Section 114 of C.P.C to review the order dated 05.12.2022 passed by the
Division Bench of this Hon'ble Court in C.M.P.(MD)No.4328/2022 in A.S.
(MD)No.56 of 2010 and to allow the petition to implead.

For Petitioner :Mr.R.Suriyanarayanan

ORDER

(Order was made by Dr.G.Jayachandran,J.)

This Review Application is filed by the third party to review the
judgment in A.S.(MD)No.56 of 2010 claiming that *pendente lite* he has



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acquired title through the first respondent, who has executed the Will as well as sold some property, which is the subject matter of the property. Any *pendente lite* transaction is subject to the out come of the litigation as per the Transfer of Property Act, 1882. Therefore, after disposal of the appeal, the Court need not entertain the parties, who have purchased the property *pendente lite* and the request to review the matter again by a third party after rendering the judgment is not permissible under law. If at all any right is accrued through the first respondent to this petitioner, it is for him to work out his remedy as per the decree passed in the appeal or resort to Section 47 of the Code of Civil Procedure. Hence, this Review Application is dismissed as devoid of merits. No order as to costs.

(Dr.G.J.J.) (S.M.J)
08.08.2023

Index:yes/no
Speaking order/non speaking order
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To:

1.The Deputy Director of Veterinary Department,

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2.The Bank of India,
Vadipatti Branch, Main Road,
T.Vadipatty P.O.& Taluk,
Madurai District.

3.The Central Bank of India,
Vadipatti Branch, Main Road,
T.Vadipatty P.O.& Taluk,
Madurai District.

4. The Canara Bank,
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DR.G.JAYACHANDRAN,J.
&
SUNDER MOHAN,J.

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