



C.R.P.No.663 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 26.03.2025

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

C.R.P.No.663 of 2025
C.M.P.No.3759 of 2025

M/s.Redington (India) Ltd.,
Represented by its Whole Time Director,
Mr.M.Raghunandan
SPL Guindy House,
No.95, Mount Road,
Guindy, Chennai - 600 032. ...Petitioner

Vs

- 1.J.Rajajayam
- 2.M.Geetha
- 3.K.Mahalakshmi
- 4.Kamini
- 5.Minor Monika
represented by mother and guardian Kamini
- 6.Minor Kishore
represented by mother and guardian Kamini ...Respondents
- 7.N.Guhan
- 8.M/s.Easyaccess Financial Services Ltd.,



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9.M.Parameshwari

10.R.Santhanalakshmi

11.Kamini

12.Minor Monika

13.Minor Kishore ...Respondents

Minor plaintiffs 6 and 7 rep by their mother and guardian
the 5th proposed plaintiff Kamini.
(amended as per orders
passed in I.A.No.2 of 2023 dated 13.03.2024)

PRAYER:- Civil Revision Petition is filed under Article 227 of the
Constitution of India, pleaded to set aside the impugned order dated
19.11.2024 Fair and Decreetal order passed in I.A.No.1 of 2023 in
O.S.No.848 of 2017 on the file of XII Assistant City Civil Court at
Chennai.

For Petitioner : Mr.C.Umashankar

For R1 to R3 : Mr.K.A.Mariappan

For R4, 7 & 8 : served (No appearance)

For R5 & 6 : minor represented by R4

ORDER

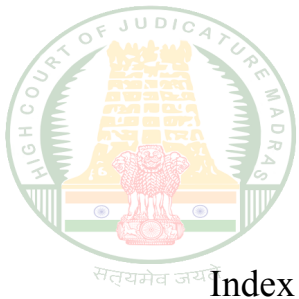
The defendants have challenged the order passed in I.A.No.1 of
2023 in O.S.No.848 of 2017 which is an application filed at the time of



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arguments for transposing plaintiffs 5 to 7 as defendants 6 to 8 in the above suit.

2.The said application has been allowed by the learned XII Assistant Judge, City Civil Court at Chennai, on the ground that there is no impediment to transpose the plaintiffs 5 to 7 as defendants 6 to 8. The learned Judge has totally overlooked the fact that after the evidence of the plaintiffs and when the defendants have to get into the box, only on the basis of a statement that there is a non-cooperation and without there being any other overt action by the plaintiffs 5 to 7 which is to the detriment of the other plaintiffs the application for transposing the plaintiff has been filed. By transposing the plaintiffs 5 to 7 at this stage as defendants, the Court would have to permit the newly transpose persons to file the written statement, if they are in conflict with the plaintiffs and thereafter issues have to be framed and evidence started afresh. The Court below have overlooked all these contingencies and has simply allowed the application on the ground that there is no impediment. Such an order cannot be sustained. Therefore, the order passed in I.A.No.1 of 2023 in O.S.No.848 of 2017 is set aside. Accordingly, the Civil Revision Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.



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Index : Yes/No

Internet : Yes/No

Speaking Order/Non Speaking Order
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P.T.ASHA, J,

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To

The XII Assistant City Civil Court at Chennai.

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