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CRP No. 262 of 2021



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 21-07-2025**

CORAM

**THE HONOURABLE MR.JUSTICE P.B. BALAJI**

**CRP No. 262 of 2021**

**and**

**C.M.P.No.15807 of 2025**

P.Shouri Subash Reddy  
S/o. Chinnaiah Reddy,  
Door No. 2/210-3, Buddayapalle,  
Proddatur, YSR District, Kadappa,  
Andhra Pradesh 516 360.

Petitioner(s)

Vs

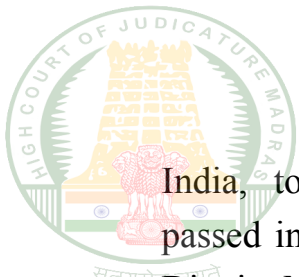
1. L.Amalarani  
Wife of late S.R.Sundar alias  
S.R.Robert Bellarmine Dominic Savio,  
Presentation Convent, Arul Nagar,  
Nedumbaram, Tiruttani Taluk,  
Thiruvattur District 631 204.

2. K.S.Raghupathi

3. K.R.Karthick

Respondent(s)

**PRAYER:** Civil Revision Petition filed under Article 227 of Constitution of



India, to set aside the fair order and decretal order dated 25<sup>th</sup> February 2020 passed in I.A.No.1514 of 2015 in O.S.No.6 of 2017, on the file of Additional District Munsif Court, Tiruvallur.

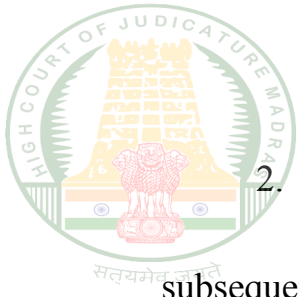
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For Petitioner(s): Mr.V.S.Poosha Datta  
for Mr.Govind Chandrasekar

For Respondent : Mr.T.N.Rajagopalan  
for Mr.P.B.Emmanuel  
For R1  
Mrs.R.Aparna  
For R2 and R3

### **ORDER**

Heard Mr.T.N.Rajagopalan, learned counsel for the impleaded defendant in O.S.No.6 of 2017, which is the suit pending before the Additional District Munsif Court, Tiruvallur. The suit is for permanent injunction filed against the defendants 1 and 2 by the revision petitioner, in order to protect his possession of the suit property, alleging trespass by the defendants 1 and 2. Pending the said suit, the first respondent/Amalarani in the revision petition filed an application to implead herself as a third defendant in the suit. The said application was entertained by the trial Court and as against the same, the present revision was filed even in the year 2021.

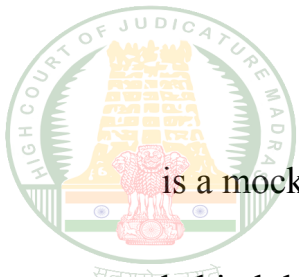


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2. However, according to the learned counsel for the respondents subsequent to the impleading application being allowed, much water has flown and the newly impleaded defendant has not only filed a written statement but also participated during the trial of the suit. Therefore, he submitted that there is no necessity to reverse the order of the impleadment at this stage.

3. It is brought to my notice that the newly impleaded party has been permitted to cross examine the plaintiff and also that the newly impleaded third defendant has filed a comprehensive suit in O.S.No.838 of 2015, on the file of XVII Assistant City Civil Court, Chennai. It is also an admitted position that the revision petitioner herein is a party defendant in the said suit. It is also brought to my notice that the plaintiff is the defendant No.7 and the second respondent in the revision petition is defendant No.8 in O.S.No.838 of 2015.

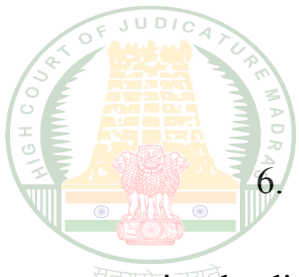
4. The contention of the learned counsel for the first respondent Mr.T.N.Rajagopalan is that the suit, which is now filed for permanent injunction



is a mock suit, where the plaintiff is trying to get a decree against the defendants behind the back of the first respondent herein.

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5. Considering the above facts, I am of the opinion that both the suits pertain to the very same property and the issues are also overlapping and the parties, except the 3rd respondent herein, are the parties in O.S.No.838 of 2015 which is pending before the XVII Assistant City Civil Court, Chennai. In the interest of all the parties, there shall be a simultaneous trial of the two suits pending in O.S.No.838 of 2015 as well as the suit for bare injunction in O.S.No.6 of 2017, which is pending before the Additional District Munsif Court, Tiruvallur. In exercise of the *suo moto* power under Section 24 of the Code of Civil Procedure, the suit in O.S.No.6 of 2017 is hereby withdrawn from the file of the Additional District Munsif Court, Tiruvallur and transferred the same to the file of XVII Assistant City Civil Court, Chennai, to be tried simultaneously along with O.S.No.838 of 2015.



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6. Considering the fact that much water has flown, subsequent to the impleading application being allowed and also in view of the direction regarding the simultaneous trial, I see no prejudice would be caused to the revision petitioner by confirming the order of the trial Court impleading the first respondent herein as the third defendant in the said suit.

7. In view of the above, both the suits shall be tried simultaneously and XVII Assistant City Civil Court, Chennai, shall ensure the expeditious trial in both the suits and dispose of the same, within a period of four (4) months from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

**21-07-2025**

jd

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. XVII Assistant City Civil Court, Chennai.

2. The Additional District Munsif Court, Tiruvallur.



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**P.B.BALAJI J.**  
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