



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 16.06.2025

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

CRP.No.2248 of 2025

& CMP.No.13051 of 2025

Chitra

... Petitioner

Vs.

Rajammal (Died)

G.Chandrasekaran @ A.G.Sekaran (Died)

- 1.T.S.Sakunthala
- 2.Mohan
- 3.Bhuvaneswari
- 4.Dinesh Kumar
- 5.P.P.Duraisamy
- 6.V.M.Jayabalan
- 7.M.Jayachandran
- 8.M.Ravichandran
- 9.M.Gnanasekaran
- 10.Indira Devi
- 11.Anjalai Devi
- 12.M.Singaravelu
- 13.C.Vimalan
- 14.Rajalakshmi
- 15.T.Balaji
- 16.T.Karthi
- 17.Bhagiyalakshmi
- 18.J.Eswari
- 19.Yamunadevi
- 20.Chellamuthu

... Respondents



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PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the fair and decreetal order dated 09.04.2025 made in IA.No.21 of 2025 in O.S.No.361 of 2007 passed by the II Additional Subordinate Judge, Erode.

For Petitioner : Mr.S.Parthasarathy
Senior Counsel
for Mr.P.Dinesh Kumar

For Respondents : Mr.T.Murugamanickam
Senior Counsel
for M/s.D.Sathya

ORDER

This Civil Revision Petition has been preferred, challenging the rejection of an impleading application filed by the *pendente lite* purchaser in a suit for declaration of title.

2.Heard Mr.S.Parthasarathy, learned Senior Counsel for Mr.P.Dinesh Kumar, learned counsel for the petitioner and Mr.T.Murugamanickam, learned Senior Counsel for M/s.Sathya, learned counsel for the respondents.

3.The learned Senior Counsel appearing for the petitioner, Mr.S.Parthasarathy, would submit that the petitioner may be impleaded as a



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party for the limited purposes of protecting his interest in the subject matter of the suit by advancing arguments without seeking any liberty to file additional pleadings or seeking permission to let in evidence or cross-examine the witnesses who have already been examined.

4.The learned Senior Counsel appearing for the respondents, Mr.T.Murugamanickam, would however submit that the petitioner should not take advantage of the impleading being entertained by this Court at the stage of cross-examination of P.W.2, which was denied to the revision petitioner, while dismissing the impleading application. Otherwise, the learned Senior Counsel has no serious objection for the impleading being allowed.

5.I have considered the submissions advanced by the learned counsel on either side. In view of the contention of Mr.S.Parthasarathy, learned Senior Counsel, no prejudice will be caused to the respondent, if it is made clear that the petitioner will have no right to examine P.W.2 as well and the scope of impleadment would be limited to the submissions and arguments in oral and written pertaining to his interest, based on the available pleadings and evidence on record.



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6. In view of the above, the Civil Revision Petition is allowed and the order dated 09.04.2025 in I.A.No.21 of 2025 in OS.No.361 of 2007 on the file of the II Additional Subordinate Court, Edore is hereby set aside. It is made clear that that the newly impleaded revision petitioner shall have right of audience only for making oral and written submissions based on the available pleadings, oral and documentary evidence already on record. There shall be no order as to costs. Connected Civil Miscellaneous Petition is closed.

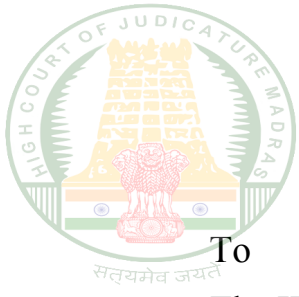
16.06.2025

Speaking/Non-speaking : Yes/No

Index : Yes / No

Internet : Yes / No

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To

The II Additional Subordinate Judge, Erode.

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P.B. BALAJI,J.

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