



WEB COPY

CRP No. 3045 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 01-08-2025**

CORAM

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

**CRP No. 3045 of 2025**

**AND**

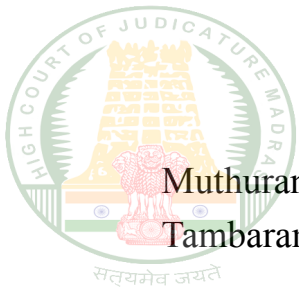
**CMP NO. 17077 OF 2025**

1. Sunilal (Deceased) 1. Santhi Devi  
Legal Representatives M/s. Kumaran  
Stores, No.33, Ananda Complex,  
Muthurangam, Mudali Street, West  
Tambaram, Chennai 045. (the  
appellants 1 to 5 are impleaded as per  
order in IA No.3 of 2022 dated  
21.03.2022)

2. Mahendra Parmer  
Legal Representatives M/s. Kumaran  
Stores, No.33, Ananda Complex,  
Muthurangam, Mudali Street, West  
Tambaram, Chennai 045.

3. Amit Parmer  
Legal Representatives M/s. Kumaran  
Stores, No.33, Ananda Complex,  
Muthurangam, Mudali Street, West  
Tambaram, Chennai 045.

4. Hansraj Parmet  
Legal Representatives M/s. Kumaran  
Stores, No.33, Ananda Complex,



Muthurangam, Mudali Street, West  
Tambaram, Chennai 045.

WEB 5. Mamta Parmerr

Legal Representatives M/s. Kumaran  
Stores, No.33, Ananda Complex,  
Muthurangam, Mudali Street, West  
Tambaram, Chennai 045.

Petitioner(s)

Vs

1. G. Balakrishnan (Deceased) 1. Radha  
Bai  
legal representatives No.4,  
Bakthavatchalam St, West Tambaram,  
Chennai 045.

2.B. Anand  
No.4, Bakthavatchalam St, West  
Tambaram, Chennai 045.

3.Sundar  
No.4, Bakthavatchalam St, West  
Tambaram, Chennai 045.

4.S. Vijayalakshmi  
No.4, Bakthavatchalam St, West  
Tambaram, Chennai 045.

RR1 to 4 are the wife, sons and daughter  
of the deceased respondent and  
legal representatives)

Respondent(s)

### **PRAYER**

This civil revision petition is filed under Article 227 of the Constitution of India  
praying to set aside the order and decreetal order made in I.A.No.6 of 2023 in



RCA No.8 of 2017 on the file of the Subordinate Judge, Tambaram dated 13.02.2025 and allow the above CRP.

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For Petitioners: Mr.V.Chanakya  
For Respondents: Mrs.Saraswathi Muthiah

### **ORDER**

The tenant has taken out an application in I.A.No. 6/2023 in R.C.A.No. 8/2017 after suffering an order of eviction under Sec. 14(1)(b) for demolition and reconstruction.

2.The case of the revision petitioner is that pending RCOP, the petitioner had settled the property in favour of the third respondent by a registered settlement deed dated 30.10.2014, and no life interest was retained by the settler. Therefore, the petitioner wanted the Court to take note of the subsequent events, which, according to the petitioner, goes to the root of the matter.

3.I am able to see that pending the appeal, all the legal heirs of the deceased petitioner Sunilal, have been impleaded as respondents in the R.C.A.No. 8/2017. The respondents also admit the fact that the property was settled pending the RCOP, in and by a settlement deed dated 30.10.2014 in



favour of the 3rd respondent alone.

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4. In view of the above, there can be no impediment for the appellate authority to take note of the factum of the settlement deed executed pending the RCOP, while disposing of the main appeal. The copy of the settlement deed alone shall be marked and there shall be no examination of parties permitted. The appeal shall be heard and the Appellate Court shall also ascertain the stand of the other legal heirs who have not been given property under the settlement deed, before passing the final order on the appeal filed by the petitioner/tenant. The R.C.A.No. 8/2017 shall be disposed of within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, this civil revision petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

**01-08-2025**

jrs

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To

The Sub Judge, Tambaram.

CRP No. 3045 of 2025



**P.B.BALAJI J.**

jrs

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2025**

**01-08-2025**