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CRP No.5195 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31-10-2025

CORAM

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

CRP No. 5195 of 2025 and

CMP No.26189of 2025

1. SELVARANI

W/o E.Kumar, Ganesapuram,
Vellalapatty Village Thumbal Via,
Erstwhile Attur Taluk Now at
Pethanaickenpalayam Taluk,
Salem District

2. SHANTHI

W/o S.Venkatachalam, D/o P.Selvaraj
Kattukottai, Prithivimangalam Post
Kallakurichi Taluk and Dt

Petitioner(s)

Vs

1. P.Selvaraj

S/o Late Palani Gounder, Vellalapatty
Village, Thumbal Via, Erstwhile Attur
Taluk Now at Pethanaickenpalayam
Taluk Salem District

2.S.Mohanraj

S/o P.Selvaraj, Vellalapatty Village,
Thumbal Via, Erstwhile Attur Taluk
Now at Pethanaickenpalayam Taluk
Salem District



3.S.Arun

S/o P.Selvaraj, Vellalapatty Village,
Thumbal Via, Erstwhile Attur Taluk
Now at Pethanaickenpalayam Taluk
Salem District

4.S.Sathiya

S/o Mohanraj, Vellalapatty Village,
Thumbal Via, Erstwhile Attur Taluk
Now at Pethanaickenpalayam Taluk
Salem District

5.MANIMEGALAI

Wo Sathiyamoorthy, D.No.27A,
Thumbal Main Road, Vellalapathy Post,
Erstwhile Attur Taluk Now at
Pethanaickenpalayam Taluk Salem Dt

6.NIMA

Wo Mohanraj, D.No.617,
Ganesapuram, Vellalapathy Post,
Thumbal Via, Erstwhile Attur Taluk
Now at Pethanaickenpalayam Taluk
Salem Dt

Respondent(s)

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India to set aside the Order passed by the Additional District Judge, Attur in IA.No.5 of 2025 in OS.No.92 of 2014 dated 01.08.2025 by allowing this CRP.

For Petitioner(s): Mr. T.GANESAN



ORDER

This civil revision petition is filed, challenging the order passed by the Trial Court, dismissing the application for amendment, filed by the petitioner.

2. The petitioners filed a suit in O.S.No.92 of 2014 for partition against the respondents. Pending suit, the 2nd respondent filed an application to implead the pendente lite purchaser as 5th and 6th defendants and the said application was allowed. Subsequently, the petitioners filed amendment application and the plaint was also amended by impleading the names of the pendente lite purchasers. Now, the instant application has been filed by the petitioners seeking to introduce a new prayer in the plaint, viz., declaration, the sale deed in favour of the pendente lite purchaser was null and void. The said application was dismissed by the court below. Aggrieved by the same, this civil revision petition is filed.

3. It is seen from the records that the suit for partition was filed by the petitioners in the year 2014. The sale of the property in favour of the 4th and 5th defendants had taken place on 11.01.2021, pending suit. Therefore, the said sale is hit by doctrine of lis pendens. In such circumstances, there is no need for the petitioners to seek a prayer for declaration, declaring that the said sale is null and void and the doctrine of lis pendens will take care of the petitioners/plaintiffs. The Court below, rightly dismissed the application for



amendment as unnecessary and I do not find any infirmity to interfere with the said order.

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4. Accordingly, this civil revision petition is dismissed, confirming the impugned order passed by the Court below. Connected miscellaneous petition is closed. Connected miscellaneous petition is closed.

31-10-2025

Internet: yes

Index: Yes/No

Neutral citation: Yes/No

MST

To

The Additional District Judge, Attur.



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S.SOUNTHAR J.

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