



CRP No.6061 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-11-2025

CORAM

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

**CRP No. 6061 of 2025 and
CMP Nos.29898, 29900 of 2025**

1. S.Subbulakshmi
W/o. M.Shanmugasundaram, No.1/1,
Angalamman Koil Sothmada Street,
Choolai, Chennai - 600112.

Petitioner(s)

Vs

1. S.Dhanapal
S/o. Subramanian, No.56, 3rd Street,
Srinivasa Nagar, Surapet Main Road,
Chennai - 66.

2.N.Sumathi
W/o. Nandhagopal, No. 22, 1st Main
Road, M.C.Nagar, Hasthinapuram,
Chitlapakkam, Chennai-64.

Respondent(s)

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India to set aside the dismissal of IA No. 7/2023 in OS No. 733/2022 dated 29.08.2025 on the file of the XIX Additional City Civil Court, Chennai.

For Petitioner(s): Mr. S.Packiaraj



ORDER

This civil revision petition is filed challenging the order passed by the Trial Court, dismissing the application filed by the petitioner, seeking impleadment of 2nd respondent herein as 2nd defendant in the suit in O.S.No.733 of 2022.

2. The petitioner herein/plaintiff filed the above said suit seeking recovery of money against the first respondent, based on the money transactions. The petitioner also filed an application seeking attachment before judgment of the property belonged to the first respondent. In the meantime, the first respondent sold his property in favour of the 2nd respondent herein. Therefore, the petitioner filed impleading application to implead the 2nd respondent herein as 2nd defendant in the suit. The said application was dismissed by the Trial Court. Aggrieved by the same, the petitioner has come before this court.

3. A perusal of the plaint in O.S.No.733 of 2022 would indicate that it is a simple suit for recovery of money and the suit is not pertain to the immovable property, which was purchased by the 2nd respondent herein from the first respondent. In such circumstances, the doctrine of lis pendens cannot be pressed into service and further, the 2nd respondent purchased the property, prior



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to the order of attachment before judgment, if any, passed by the Trial Court.

Therefore, the 2nd respondent's presence is not at all required in a suit for recovery money against the first respondent. The Trial Court rightly dismissed the impleading petition and I do not find any error in the impugned order to interfere with the same.

4. Accordingly, this civil revision petition is dismissed. There shall be no order as to costs. Connected miscellaneous petitions are closed.

28-11-2025

Internet: Yes

Index: yes/no

Neutral citation: Yes/No

MST

To

The XIX Additional Judge,
City Civil Court, Chennai.



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S. SOUNTHAR, J.

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