



WEB COPY

CMP No. 27610 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-11-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

CMP No. 27610 of 2025
in AS SR NO. 177478 OF 2025

1. K.Jawarilal Jain
S/o. A. Kewalchand Jain, No.89,
Santhapettai, Gudiyatham, Vellore
District - 632 602.

Appellant(s)

Vs

1. D.Murthy
S/o. Doraisamy, No.14, Bajanai Kovil
Street, Melvenkatapuram Village,
Walajah Taluk, Ranipet District.

2.N. Karnal
S/o. Late Narayanasamy, No.22,
Bharathiyar Street, Shenbakkam,
Vellore 632008.

Respondent(s)

AS SR No. 177478 of 2025

1. K.Jawarilal Jain
S/O .A. Kewalchand Jain, No.89,
Santhapettai, Gudiyatham, Vellore
District - 632602.



CMP No. 27610 of 2025



Appellant(s)

Vs

1. D.Murthy

S/O. Duraisamy, 14, Bajanai Kovil
Street, Melvenkatapuram Village,
Walajah Taluk, Ranipet District.

Respondent(s)

CMP No. 27610 of 2025

PRAYER:

To grant leave to the petitioner/appellant to file the first appeal as against the judgment and decree dated 25.03.2022 made in O.S.No.184 of 2021 on the file of the Additional District Judge Vellore.

For Appellant(s): Mr.S.Saravanakumar

ORDER

Heard Mr.S.Saravanakumar, learned counsel appearing for the petitioner.

2.The case of the petitioner is that though he is the absolute owner of the suit property there has been a collusive decree for Specific Performance obtained in the Original Suit behind his back, without impleading him as a necessary and proper party. The petitioner contends that the said decree directly affects his title and possession and that he has been prevented from lawfully enjoying the property.



3.Hence, the petitioner seeks leave of this Court to challenge the Judgment and Decree passed in O.S.No.184 of 2021 on the file of the learned Additional District Judge, Vellore. as the petitioner is not a party to the said suit.

4.Accordingly, the application seeking leave to file the First Appeal is ordered.

12-11-2025

mps

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

The Additional District Judge,
Vellore.



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P.B.BALAJI J.

mps

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