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CRP No.5884 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-11-2025

CORAM

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

**CRP No. 5884 of 2025 and
CMP No.29059 of 2025**

1. THANGAMMAL

W/o. Kumarasamygounder,
Thundukadu, P.Mettupalayam,
Pillanatham Village, Tiruchengode
Taluk, Namakkal District.

2. Devarajan

S/o. Kumarasamygounder,
Thundukadu, P.Mettupalayam,
Pillanatham Village, Tiruchengode
Taluk, Namakkal District. Now at,
D.No.2D, Thailambigai Varma Nagar-3,
Thondikaradu, Thiruchengode Taluk,
Namakkal District.

Petitioner(s)

Vs

1. BOOPATHI

S/o. Late Sengotuvel, D.No.1/26,
Alankattu Valasu, Thimmipalayam,
Ramapuram Village, Tiruchengode
Taluk, Namakkal District.

2.The Sub Registrar

Office of the Sub Registrar,
Mallasamuthiram, Thiruchengode
Taluk, Namakkal District.

Respondent(s)



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PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India to To set aside the fair and decreetal order in I.A.No.1 of 2024 in OS.No.266 of 2020, dated 26.08.2025, pending on the file of Additional Subordinate Court at Tiruchengode.

For Petitioner(s): Mr. S.VARANESH

For Respondent(s): Mr.R.Vigneswaran,
Govt. Advocate for R2

ORDER

This civil revision petition is filed, challenging the order passed by the Trial Court, allowing the application filed by the first respondent, seeking impleadment of the 2nd petitioner and 2nd respondent herein.

2. The first respondent herein/plaintiff filed a suit for specific performance, based on the unregistered sale agreement dated 13.06.2017. Pending suit, the first petitioner herein sold the property to the 2nd petitioner herein under the document dated 02.06.2024. Therefore, the instant application has been filed by the first respondent/plaintiff seeking impleadment of the 2nd petitioner and the 2nd respondent, namely Sub Registrar, Mallasamuthiram, Tiruchengode Taluk. The Trial Court partly allowed the application ordering impleadment in respect of the 2nd petitioner herein and dismissed the application



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in respect of impleadment of the 2nd respondent herein. Aggrieved by the same, the petitioners have come before this court.

3. The learned counsel for the petitioner vehemently contended that the 2nd petitioner herein is a stranger to the sale agreement and hence, his presence is not at all necessary before the Trial Court.

4. The 2nd petitioner herein is a pendente lite purchaser, pending suit for specific performance, filed by the first respondent against the first petitioner herein and hence, his presence is very much required. Though the 2nd petitioner is not a party to the sale agreement, he is a proper party to the litigation. Therefore, the Trial Court rightly allowed the application by ordering impleadment of the 2nd petitioner and I do not find any error to interfere the same.

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

26-11-2025

Internet: Yes
Index: Yes/No
Neutral citation: Yes/No
MST



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To

The Additional Subordinate Judge,
Tiruchengode.



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S.SOUNTHAR, J

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