



C.R..P.(PD)(MD).Nos.625 and 626 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P(PD)(MD)Nos.625 and 626 of 2025

and

C.M.P(MD) No.3396 and 3397 of 2025

C.R.P(MD) No.625 of 2025:

Ayyachamy

... Petitioner/Petitioner
Plaintiff

Vs.

1.Chinnathal

2. Backiyam

3. Chithra

4. Raman

... Respondents/
Respondents/
Defendants

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, against the fair and decreetal order in I.A.No.6 of 2024 in O.S.No. 105 of 2020 on the file of the learned District Munsif, Singampunari, Sivagangai, dated 08.11.2024.

For Petitioner : Mr. A.Prasanna Rajadurai



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WEB CO **C.R.P(MD) No.626 of 2025:**

Ayyachamy

... Petitioner/Petitioner
Plaintiff

Vs.

1.Chinnathal

2. Backiyam

3. Chithra

4. Raman

... Respondents 1 to 4/
Respondents 1 to 4/
Defendants 1 to 4

5. Pitchaiah

6. Saravanan

... Respondents 5 and 6/
Proposed Respondents 5 and 6/
Proposed Defendants 5 and 6

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, against the fair and decreetal order in I.A.No.8 of 2024 in O.S.No. 105 of 2020 on the file of the learned District Munsif, Singampunari, Sivagangai dated 08.11.2024.

For Petitioner : Mr. A.Prasanna Rajadurai



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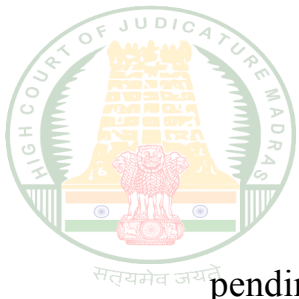
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COMMON ORDER

The plaintiff in O.S.No.105 of 2012 on the file of the District Munsif, Singampunari, Sivagangai, has filed the present Civil Revision Petition, challenging the order passed by the trial Court in I.A.Nos. 6 and 8 of 2024.

2. The suit has been filed for the relief of specific performance of the sale agreement dated 09.04.1992 and for declaration that the release deed dated 14.08.2020 executed by the defendants 1 and 2 in favour of the third defendant is null and void. The plaintiff has further prayed for a declaration that the sale deed dated 05.10.2020 executed by the third defendant in favour of the fourth defendant is null and void. The plaintiff has further prayed for permanent injunction restraining the fourth defendant from in any way interfering with the peaceful possession and enjoyment of the property.

3. When the suit was posted for trial, the plaintiff has filed the above two applications. I.A.No.6 of 2024 has been filed for removing the case from the list. I.A.No.8 of 2024 has been filed to implead two proposed parties on the ground that they have purchased the property from the fourth defendant,



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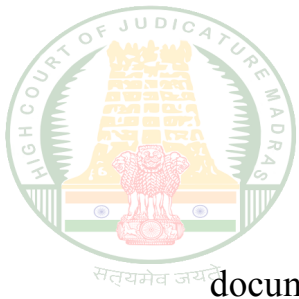
pending suit. These two applications have been dismissed by the trial Court.

Challenging the same, the present Civil Revision Petition has been filed.

4. According to the learned counsel appearing for the revision petitioner unless the *pendente lite* purchasers are implead as parties to the suit, he would put to great hardship, in case, if he succeeds in the suit. He further contends that he has already filed an application for payment of deficit stamp duty of his sale agreement dated 09.04.1992 and the same is pending. In such circumstances, if the Court proceeds with the trial, he would put to great hardship.

5. Heard the learned counsel appearing for the petitioner and perused the material on records.

6. Admittedly, the proposed parties are *pendente lite* purchasers from the fourth defendant in a suit for specific performance. In such circumstances, any judgment would be binding upon the proposed parties. Therefore, they are not necessary parties in the suit for specific performance. That apart the suit has been posted for trial after a period of four years. As and when the



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document is impounded and the stamp duty is paid, the plaintiff would at liberty to mark those documents. In such circumstances, there are no merits in these Civil Revision Petitions.

7. With the above said observations, these Civil Revision Petitions stands disposed of. There shall be no order as to costs. Consequently connected Miscellaneous Petitions stand closed.

04.03.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

1. The District Munsif,
Singampunari,
Sivagangai District.
2. The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR,J.

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