



**C.R.P.(PD)(MD)No.697 of 2025**

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 07.03.2025

CORAM

**THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR**

**C.R.P.(PD)(MD)No.697 of 2025**

**and**

**C.M.P(MD)No.3696 of 2025**

V.Sivaprakasam

...Petitioner/Petitioner/Third Party

Vs.

1.Kaliammal

2.Soundararajan

... Respondent/Respondent/Defendant

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the Fair and Decreetal order, dated 29.04.2024 made in I.A. No.1 of 2023 in O.S.No.399 of 2023 on the file of the Sub Judge, Musiri.

For Petitioner : Mr.S.I.Muthiah

\* \* \* \* \*

**ORDER**

A third party to O.S.No.399 of 2023, on the file of the Sub Court, Murisi, has filed the present revision petition, challenging the dismissal of his application to get himself impleaded in the suit.



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2.A perusal of the records reveal that the first respondent in the revision petition had filed the above said suit for the relief of specific performance of the sale agreement said to have been executed by the second respondent. Claiming that the revision petitioner is the owner of the property and suit is a collusive suit, I.A.No.1 of 2022 had filed by the revision petitioner seeking to implead himself in the suit. However, the said application had been dismissed by the trial Court on the ground that a third party to a contract, cannot be impleaded as a party to the suit for specific performance. Challenging the same, the present revision petition has been filed.

3.It is brought to the notice of the Court that the plaintiff had withdrawn the suit on 10.02.2025, stating that the suit has been settled out of Court. In such circumstances, no further orders are called for in the present revision petition. In case, if the revision petitioner is aggrieved over any other transactions between the plaintiff and the defendant, it is always open to him to challenge the same in the manner known to law.



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4. With the above said observations, this Civil Revision Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

**07.03.2025**

Internet: Yes/No  
Index: Yes/No  
RJR

To

The Sub Judge, Musiri.

**Copy to:-**

The Section Officer,  
VR Section,  
Madurai Bench of Madras High Court, Madurai.



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**R.VIJAYAKUMAR, J.**

RJR

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