



C.R.P.(PD)(MD).No.1837 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 19.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

C.R.P.(PD)(MD)No.1837 of 2021
and
C.M.P.(MD)No.9860 of 2021

Annadurai

... Petitioner

Vs.

1.Saroja
2.Paranthaman
3.Vanitha

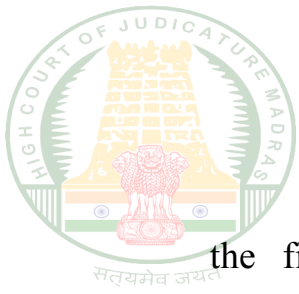
... Respondents

PRAYER: Civil Revision Petition - filed under Article 227 of Constitution of India, to set aside the fair and decreetal order passed in I.A.No.16 of 2019 in O.S.No.456 of 2001 on the file of the learned Additional Sub Court, Pudukkottai, dated 24.08.2021.

For Petitioner : Mr.R.Balakrishnan

ORDER

This Civil Revision Petition is filed challenging the fair and decreetal order passed in I.A.No.16 of 2019 in O.S.No.456 of 2001 on



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the file of the learned Additional Sub Court, Pudukkottai, dated 24.08.2021.

2.The petitioner filed a suit in O.S.No.456 of 2017 for permanent injunction as against the respondents. The first respondent is none other than the sister of the petitioner and the second and third respondents are the children of the first respondent. Initially, the entire property was owned by the father of the petitioner and thereafter, the property was devolved upon the petitioner. There was some business transaction between by the petitioner and the husband of the first respondent, namely Panneerselvam. For the said purpose, the petitioner executed a sale deed only as a security for the said transaction. Later, the said Panneerselvam died leaving behind the respondents as his legal heirs. Thereafter, the respondents tried to evict the petitioner from the suit property, in which the petitioner is residing. Thereby, the petitioner filed a suit for permanent injunction. Subsequently, the respondents filed a counter claim for recovery of possession as against the petitioner. While the matter stood thus, the respondents sold a portion of the property to one Thillaimalar. Hence, the petitioner filed an application to implead the



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said subsequent purchaser, namely, Thillaimalar in the suit proceedings.

However, the said application was dismissed. Challenging the same, the petitioner has filed this petition.

3.Though this Civil Revision Petition is filed in the year 2021, the petitioner has not taken any steps to serve on the respondents. However, considering the pendency of this petition, this Court is inclined to dispose of this petition based on the available materials.

4.Admittedly, the petitioner filed a suit for permanent injunction. Therefore, it is for the petitioner to establish his title before the trial Court by adducing proper evidence and documents. Instead, seeking impleadment of the subsequent purchaser is not at all necessary. Even if the respondents have raised a counter claim, the petitioner has every right to object the same by adducing proper evidence and documents. Without doing so, seeking impleadment of the subsequent purchaser as additional respondent is not necessary. The issue was rightly appreciated by the trial Court and the same need not be interfered.



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4. Accordingly, this Civil Revision Petition is dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

19.06.2025

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

1. The Additional Sub Court, Pudukkottai.
2. The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI,J.

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