

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.07.2025

CORAM:

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE P.B.BALAJI

Rev.Aplc(MD) No.148 of 2025

Ramesh Babu

.. Applicant

Vs.

1.M/s.Ultra Marine & Pigments Limited,
A registered Company having its Office at
Thirumalai House, Road No.29, SION,
Mumbai – 400 022 thro' its' Authorized
Signatory-Cum-Manager Sales.

2.Kala Karmegam

3.P.Karmega Mani

.. Respondents

Prayer:- This Review Application is filed Order 47 Rule 1 & 2 of CPC,
to review petition filed against the judgment dated 05.01.2024, passed in
A.S. (MD) No.123 of 2014.

For Applicant : Mr.P.Jagadeesan

For Respondents : Ms.H.Lakshmi Shankar for R1
Mr.S.Veerapandi Selvaraj for R2 & R3

ORDER



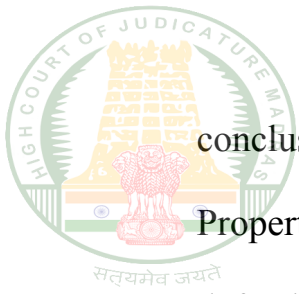
(Order of the Court was made by P.B.BALAJI, J.)

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This Review Application Application is filed Order 47 Rule 1 & 2 of CPC, to review the judgment vide in A.S.(MD) No.123 of 2014 dated 05.01.2024.

2. Heard Mr.Mr.P.Jagadeesan, learned counsel for the petitioner and Mr.H.Lakshmi Shankar, learned counsel for R1 and Mr.S.Veerapandi Selvaraj, learned counsel for R2 & R3.

3. The learned counsel for the petitioner would submit that the defendants have been put in possession of the suit property in part performance of a registered agreement of sale dated 26.04.2000 in Ex.B4 and therefore, the review petitioner is entitled to benefits of Section 53-A of the Transfer of Property Act, 1882. The grounds of review, as canvassed by Mr.Jagadeesan, learned counsel, as well as what we notice from the grounds raised in the review petition, clearly attack the findings rendered by this Court holding that Section 53-A of the Transfer of Property Act, will not come to the rescue of the review petitioner. In fact, from Paragraph No.25 onwards, this Court specifically dealt with the issue of protection available to the revision petitioner under Section 53-A and



conclusively found that the protection under Section 53-A of Transfer of Property Act, would not apply to the facts of the present case as the third defendant had failed to establish that he was even placed in possession under the agreement of sale.

4. In the light of the above categorical finding in the judgment dated 05.01.2024, we do not see any grounds arising for reviewing the said judgment. If at all the review petitioner is aggrieved, it is always open to the review petitioner to challenge the findings of this Court in the First Appeal in the manner known to law. Accordingly, this Review Application is dismissed. No costs.

[S.M.S., J.] & [P.B.B., J.]
29.07.2025

rkp

S.M.SUBRAMANIAM, J.
AND
and



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P.B.BALAJI,J

rkp

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