



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-02-2026

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

CRP No. 169 of 2026

N.Sreenivasa Reddy

Petitioner(s)

Vs

1. Raja Reddy

M. Thimma Reddy (Died)

2.Chenna Reddy

3.Jayarama Reddy

Thimmakka (died)

4.Chennamma

5.Pillamma

6.Gowramma

7.Savithriamma

8.Srinivasa Reddy

9.Narayanamma

10.Rashmi

11.Shilpa

12.C. Srinivasalu

13.S. Manjula



Respondent(s)

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to strike off the IA.No.8 of 2025 in AS.No.7 of 2015 on the file of the Additional Subordinate Court, Hosur.

For Petitioner(s): Mr.K.Vijayaraghavan

For Respondent(s): Mr.R.Subramanian
for Mr.A.Venkatesh Kumar for
R1

R2, R3, R7 to R9-Notice sent
service awaited

R4, R6, R11, R12 and R13-
Served, No appearance

R5-Insufficient Address

R10-Returned

ORDER

Heard Mr.K.Vijayaraghavan, learned counsel for the petitioner and Mr.R.Subramanian, learned counsel representing Mr.A.Venkatesh Kumar, learned counsel for the first respondent.

2. The revision petition has been filed to strike of I.A.8 of 2025, which has been filed by the first respondent, seeking to implead 74 proposed parties/respondents to the appeal. The first respondent is the appellant in the first appeal. In fact, the case appears to have a chequered history. The trial



Court decreed the suit on 23.12.2014 as against which the first respondent has preferred A.S.No.7 of 2015. In the appeal, an interim application has been taken out by the first respondent/appellant, which was dismissed for non-prosecution. The application to restore the said application was also dismissed. Thereafter, the first respondent filed I.A.6 of 2020 under Order 41 Rule 27 C.P.C, for adducing additional evidence. The 1st appellate Court allowed the application and permitted one document to be received as an additional evidence. The petitioner has challenged the same before this Court by way of C.M.A.Nos.1150, 1162, and 1165 of 2021, this Court confirmed the order of remand passed by the first appellate Court and granted an outer limit of six months to the trial Court to dispose of the suit. This Court also affirmed the permission granted to receive one additional document. Aggrieved by the same, the petitioner moved Civil Appeal Nos.6150 – 6152 of 2023 before the Hon'ble Supreme Court. The Hon'ble Supreme Court set aside the order of the remand and directed the first appellate Court to decide the appeal on merits. The Hon'ble Supreme Court had disposed of the said Civil Appeal Numbers with the following directions:

“In our view, this course of action which is completely impermissible. Firstly, the respondent was negligent in not getting the documents exhibited as filed by them and now seeks to take advantage of that fact to seek remand before the trial Court. If the Appellate Court was of the view that it is a crucial document, it was for the appellate Court to consider that document by treating as an additional



evidence and deciding the matter on merits. Nothing more and nothing less was required to be done.

We have thus, no hesitation in setting aside the orders passed by the First Appellate Court dated 11.01.2021 and the impugned order of the High Court dated 06.01.2022 and remit the matters back to the First Appellate Court for consideration on merits of the appeals filed by the respondent(s).

The appeals accordingly stand allowed leaving parties to bear their own costs.

CIVIL APPEAL NOS. 6153-6156/2023 @SLP(C) No. 24201-24204/2022

Leave granted. Service is complete but none appears for the respondent.

In view of the orders passed in Civil Appeal Nos. 6150-6152/2023 @ SLP(C) NOS.8262-8264/2022, the orders passed in the impugned order(s) dated 05.09.2022 to the extent it observes that there should be restraint against the appellant(s) not to alienate the property has to be decided as it will be for the First Appellate Court now to consider the appeals of the respondent(s) on merits and naturally also examine whether any interim order at all is required to be granted or not. Thus, those observations are set aside.

The appeals are allowed in terms aforesaid.”

3. Mr.K.Vijayaraghavan, learned counsel for the petitioner states that, after this Court has granted six months time to the trial Court to dispose of the appeal and thereafter, the Hon'ble Supreme Court has set aside that order, directed the first appellate Court to decide the matter, the petitioner also moved this Court by way of revision viz., C.R.P.No.4287, 4291 and 4293 of 2025, where I had issued the direction for disposal of the appeal on merits by 31.12.2025. In the interregnum period, the first respondent has chosen to file the application, seeking to implead 74 proposed respondents.



4. According to Mr.K.Vijayaraghavan, learned counsel for the petitioner, that the present petition to implead the proposed respondents is only to protract the proceedings and to scuttle the legitimate rights that have accrued to the petitioner.

5. Per contra, Mr.R.Subramanian, the learned counsel for the first respondent, states that the petitioner has already filed his counter in the application to implead 74 respondents and therefore, at this juncture, it is not proper for the petitioner to move this Court, that too, under Article 227 of the Constitution of India to strike of I.A.No.8 of 2025.

6. He would also invite my attention to the direction issued by the Hon'ble Supreme Court, that the appellant should not alienate the property without the issue being decided, which passage has already been extracted herein above. It is his submission that in defiance of the direction, the petitioner has alienated the property, which has necessitated the 1st respondent to file an application to implead the various respondents.

7. Be that as it may, considering the fact that the application is due for the enquiry before the first Appellate Court, I am not inclined to allow the revision. However, at the same time, the requirement of issuing notice to the proposed



respondents at this stage may not arise. The first appellate Court shall hear the petitioner and the first respondent based on the affidavit and the petition filed by the 1st respondent and the counter affidavit filed by the petitioner and decide the application viz., I.A.No.8 of 2025. If the first appellate Court is of the view that the 74 proposed respondents are proper and necessary parties for arriving at a decision in the first appeal, then it shall allow the application, and thereafter, issue notice to the newly added parties. In case, if the first appellate Court is of the view that the proposed respondents are not proper and necessary parties, then, it is open to the first appellate Court to reject the application viz., I.A.No.8 of 2025 and proceed to dispose of the appeal by 30.04.2026.

8. With the above observations and directions, this Civil Revision Petition is disposed of. No costs.

20-02-2026

Jd

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

The Additional Subordinate Court, Hosur.



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P.B.BALAJI J.
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