



C.R.P.No.553 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 03.02.2026

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.553 of 2024

and

C.M.P.No.2757 of 2024

1.P.Ramadas
2.P.Rajagopal

.... Petitioners

Vs

1.V.Rajeswari
2.V.Shobana
3.M.Saraswathi

.... Respondents

Prayer: Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the fair and final order dated 19.10.2023 made in I.A.No.5 of 2022 in O.S.No.116 of 2010 on the file of the Sub Court, Tiruchengode.

For Petitioners	: Mrs.D.Sathya for Mrs.Zeenath Begum
For R1	: Mr.C.Prasanna Venkatesh

ORDER

The Civil Revision Petition has been filed challenging the order passed by the Trial Court dismissing the application filed by the petitioners seeking impleadment of respondents 2 and 3 as party defendants in the suit.



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2. The first respondent herein filed a suit for partition against the petitioners and others. Pending suit, the first defendant in the suit executed a settlement deed in respect of item Nos. 2, 3 and 5 of the suit properties in favour of the respondents 2 and 3. Therefore, an instant application was filed by the petitioners seeking impleadment of the settlee as proposed parties in the suit. The said application was dismissed by the Trial Court mainly on the ground that any alienee of the defendant is not a necessary party to a suit for partition and that the alienation would be subject to the outcome of the suit. Aggrieved by the said order, the petitioners have come before this Court.

3. Even though the proposed parties acquired interest over portions of the suit properties pendente lite and their rights are subject to the result of the suit, their presence would certainly enable the Court to effectively and completely adjudicate the issues involved. The suit is not only for partition but also for separate possession. Therefore, the pendente lite purchaser shall also be added as a party to the suit in order to ensure effective adjudication and to avoid any difficulty at the time of execution of decree that may be passed in the suit.



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4. In view of the above, the impugned order dated 19.10.2023 passed in I.A.No.5 of 2022 in O.S.No.116 of 2010 on the file of the Sub Court, Tiruchengode, is hereby set aside and I.A.No.5 of 2022 stands allowed. Accordingly, the Civil Revision Petition is allowed. Consequently, connected miscellaneous petition is closed. No costs.

03.02.2026

Internet: Yes/No
Index: Yes/No
Neutral Citation : Yes/No
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To
The Sub Court,
Tiruchengode.



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