



WEB COPY

CRP No. 748 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-02-2026

CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

CRP No. 748 of 2026 and

CMP.No.3920 of 2026

Renukumar

Petitioner

Vs

1. M. Periyasamy
2. Natarajan
Duraismy (Died)
3. Senniammal
4. Dhanalakshmi
5. Vijayakumar
6. Janani

..Respondent(s)

Prayer:- Civil Revision Petition filed under Article 227 of the Constitution of India praying to call for the records and to set aside the Fair and Final order passed in IA No.13/2025 in OS No.83/2016 on the file of Subordinate Court of Perundurai dated 05.11.2025.

For Petitioner(s):

Mr.M.Saravanakumar



ORDER

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The civil revision petition is filed challenging the order passed by the Trial court allowing the application filed by the 1st respondent/plaintiff seeking impleadment of petitioner.

2. The 1st respondent herein filed a suit for partition against other respondents. Pending suit, instant application for impleadment of petitioner was filed on the ground that 3rd defendant namely Senniammal settled the suit property in favour of petitioner on 09.04.2014 and hence, he was a necessary party. The said application was allowed by the Trial Court and aggrieved by the same, the petitioner has come before this Court .

3. It is seen from the typed set of papers that in the written statement filed by the defendants in the suit, they pleaded oral partition and settlement of suit property in favour of petitioner. Based on the said plea, an issue had already been framed regarding non-joinder of necessary party namely petitioner herein. When the suit property was sold by 3rd defendant in favour of petitioner even prior to the suit, his presence is very much essential to adjudicate the dispute between the parties especially in the light of framing of issue with regard to non-joinder of necessary party.

4. The trial Court rightly appreciated the said position and allowed the impleading application. I do not find any error in the impugned order passed by the trial court. Accordingly, the civil revision petition stands dismissed. The



dismissal of the civil revision petition will not come in the way of petitioner filing written statement and raising his own defence in the suit. Consequently, the connected miscellaneous petition is closed. No costs.

17-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

The Subordinate Court, Perundurai



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CRP No. 748 of 2



S.SOUNTHAR, J.

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