



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-02-2026

CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

**CRP Nos. 1988 , 1297 and 327 of 2024
and CMP Nos.1527 and 10523 of 2025**

In CRP No.1988 of 2024

1. R.Sugumar
S/o. D.Ranganathan Mudaliar, D.No. 15/7,
Vth Street, Ramalinganar Street,
Thiruvannamalai
2. G.Muthu Kumaran
A.R.Govindasamy Pillai, Door No. 23/3A,
Vanatharayanpalayam Street, Thiruvannamalai
Town, Thiruvannamalai Dist.

..Petitioner(s)

Vs

LAKSHMI (DIED)

1. 1. Saraswathy
W/o. Dhandapani, D/o. Late Arunachala
Udayar, No. 7, Thiruvalluvar Street, Kalambur
Village and Post, Polur Taluk,
Thiruvannamalai District.
2. Radha, W/o. Subramanian, D/o. Late.
Arunachala Udayar, No. 9, Gandhi Nagar, First
West Cross, Vellore 632 006.

Natarajan (Died)

3. Ravichandran
S/o. Late Arunachala Udayar, No. 7,
Thiruvalluvar Street, Kalambur Village and
Post, Polur Taluk, Thiruvannamalai District.



4. Kirubanandam
S/o. Late Arunachala Udayar, No. 7,
Thiruvalluvar Street, Kalambur Village and
Post, Polur Taluk, Thiruvannamalai District.
5. K.Kavitha, W/o. Kothandaraman
No. 47/A, Thiruvalluvar Street, Kalambur
Village and Post, Polur Taluk, Thiruvannamalai
District.
6. Jothi
W/o. Late Natarajan, No. 7, Thiruvalluvar
Street, Kalambur Village and Post, Polur Taluk,
Thiruvannamalai District.
7. Priya
D/o. Late Natarajan, No. 7, Thiruvalluvar
Street, Kalambur Village and Post, Polur Taluk,
Thiruvannamalai District.
8. J.Sivasakthi
W/o. A.Ravichandran D/o. C.Jayaraman, No. 3,
4th Main Road, Gandhi Nagar, Vellore, Vellore
Dist.
9. G.P.Sivasankar
S/o. Late.Ponnusamy Yadav, D.No. 62/79,
Water Tank Street, Su.Andapattu Village,
Thiruvannamalai Taluk and Dist.
- 10.S.Ravi, S/o. Subramanian Yadav
Venugopalapuram Village, Thiruvannamalai
Taluk and Dist.
- 11.K.Vijayakumar
S/o. Krishnan Yadav D.No. 835/31, 4th Street,
Thiruvalluvar Nagar, Vettavalam Road,
Thiruvannamalai Taluk and Dist.



12.P.Jayanthi, W/o. Purushothaman
D.No. 27/81, Bazanai Koil Street,
Athiyandal Village, Thirukoilur Taluk,
Kallakurichi Dist.

In CRP No.1297 of 2024

J.Sivasakthi

..Respondent(s)

... Petitioner

Vs.

LAKSHMI (DIED)

1. Saraswathy
2. Radha

Natarajan (died)

3. Ravichandran
4. Kirubanandam
5. K.Kavitha
6. Jothi
7. Priya
8. R.Sugumar
9. G.Muthu Kumaran
10. G.P.Sivasankar
11. S.Ravi
12. K.Vijayakumar
13. P.Jayanthi

... Respondents



In CRP No.327 of 2024

1. G.P.Sivasankar
2. S.Ravi
3. K.Vijayakumar
4. P.Jayanthi

... Petitioners

Vs.

LAKSHMI (DIED)

1. Saraswathy
2. Radha

Natarajan (died)

3. Ravichandran
4. Kirubanandam
5. K.Kavitha
6. Jothi
7. Priya
8. J.Sivasakthi
9. R.Sugumar
10. G.Muthu Kumaran

... Respondents

Common Prayer in all CRPs: Civil Revision Petitions are filed under Article 227 of the Constitution of India to set aside the Fair and Decreetal order dated 19/10/2023 passed in I.A.No. 3/2022 in O.S. No. 22 of 2014 on the file of the Additional District Judge, Tiruvannamalai District.



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In CRP No.1988 of 2024

For Petitioner(s): Ms. M.Vidya

For Respondent(s): Mr.B.Venugobal for R1, R2

Mr.B.Ravi for R3 and R8

Mr.I.Muthuswamy for R4

Mr. N.Manoharan for R9 to R12

In CRP No.1297 of 2024

For Petitioners : Mr.R.Subramanian

For Respondents : Mr.B.Venugobal for R1 and R2

Mr.I.Muthuswamy for R4

Mr.N.Manoharan for R10 to R13

In CRP No.327 of 2024

For Petitioners : Mr.N.Manoharan

For Respondents : Mr.B.Venugobal for R1 and R2

Mr.R.Subramanian for R3 and R8

Mr.I.Muthuswamy for R4

Ms.M.Vidya for R9 and R10



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COMMON ORDER

These civil revision petitions have been filed challenging the order passed by the Trial Court, allowing the application filed by the respondents 1 and 2/ plaintiffs seeking inclusion of the petitioners as party /defendants in the suit.

2. The respondents 1 and 2 and deceased Lakshmi/ plaintiffs filed a suit for partition and other reliefs against other respondents/defendants 1 to 6. Pending suit, instant application in I.A.No.3 of 2022 has been filed by the respondents 1 and 2/plaintiffs seeking to implead the petitioners in these revision petitions as proposed parties in the suit on the ground that the petitioner in CRP No.1297 of 2024, namely Sivasakthi purchased certain properties from the power of attorney of the plaintiffs, namely Ravichandran/ 2nd defendant and thereafter, the said Sivasakthi sold those properties to the petitioners in CRP Nos.1988 and 327 of 2024. The said application has been allowed by the Trial Court by holding that in view of the plea of partial partition raised by the 2nd defendant, all these applications have been allowed. Aggrieved by the same, the petitioners in these civil revision petitions have come before this court.

3. The learned counsel for the petitioners would submit that the properties dealt with by the petitioners were not subject matter of the present suit and



therefore, impleadment of the petitioners in the suit as party/ defendant is not at all necessary. The learned counsel also drawn the attention of this court to the

averments made in the affidavit filed in support of impleading petition, wherein, the respondents 1 and 2/plaintiffs submitted that the properties dealt with by the petitioners herein were not included in the plaint schedule and they have been taking steps to include the same in the plaint schedule.

4. The learned counsel for the respondents/plaintiffs would submit that the properties dealt with by the plaintiffs are joint family properties and the same have been sold by the 2nd defendant in favour of the revision petitioner in CRP No.1297 of 2024, who in turn sold the same to the petitioners in CRP No.1988 and 327 of 2024.

5. In the affidavit filed in support of the impleading petition, the respondents 1 and 2 /plaintiffs have given details of the properties dealt with by the revision petitioners. As per the averments made in the said affidavit, the 2nd defendant sold the properties in ***S.No.50/2L2 – Acre 0.37 cents; S.No.50/2G – Acre 0.84 cents; S.No.50/2G – Acre 0.10 cents; S.No.50/2 – 1/3 share in the well and S.No.66/2c2 – Acre 0.32 cents*** to one J.Sivasakthi (petitioner in CRP No.1297 of 2024), vide sale deed dated 21.02.2014. It is further stated that the said Sivasakthi, by sale deed dated 19.12.2018, sold 32 cents out of 37 cents of properties in S.No.66/2C2 in favour of one Sugumar and one Muthukumaran



(petitioners in CRP No.1988 of 2024) and she also sold the properties in S.No.50/2L2 in favour of one Sivasankaran, Ravi, Vijayakumar and Jayanthi (petitioners in CRP No.327 of 2024).

6. A perusal of the schedule mentioned properties in the plaint filed in the present suit would indicate that the properties mentioned above were not shown as subject matter of the suit properties. When the properties dealt with by the revision petitioners are not the subject matter of the suit properties, the respondents 1 and 2/ plaintiffs are not entitled to implead the revision petitioners as parties/defendants in the suit. In the affidavit filed in support of the impleading petition, it is stated by the plaintiffs that they were taking steps to include the properties dealt with by the revision petitioners as suit properties. In case, any application is filed by the plaintiffs to include those properties also in the schedule to the plaint and the same is allowed, the respondents 1 and 2/plaintiffs are entitled to renew the application seeking impleadment. However, when the properties are not included in the plaint schedule as on today, the respondents 1 and 2 / plaintiffs are not entitled to seek impleadment of the revision petitioners as parties / defendants.

7. Accordingly, these civil revision petitions are allowed by setting aside the impugned order passed by the Trial Court and as a consequence, I.A.No.3 of 2022 in O.S.No.22 of 2014 is dismissed. However, liberty is granted to the



respondents 1 and 2 /plaintiffs to renew the application, in case, the properties dealt with by the revision petitioners are included in the plaint by way of appropriate application. There shall be no order as to costs. Connected miscellaneous petitions are closed.

25-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

MST

To

The Additional District Judge,
Tiruvannamalai.



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CRP Nos. 1988, 1297 and 327 of 2



S.SOUNTHAR, J.

MST

CRP Nos. 1988, 1297 and 327 of 2024

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