



WEB COPY

CRP No. 987 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-02-2026

CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

**CRP No. 987 of 2026 and
CMP.No.5312 of 2026**

1. Lakshmi Ammal
2. Haridas
3. Govindan

..Petitioner(s)

Vs

1. Sadayan
2. Ramachandran
3. V.P.Ramachandran
4. Saraswathi
5. Jegan
6. Rajapandian

..Respondent(s)

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India praying to set aside the order and decree dated 19.08.2025 made in IA No.3/2024 in OS No.3/2024 on the file of the Court of Additional District Judge (Fast track Court) Villupuram.

For Petitioner(s):

M/S.T.Dhanasekaran

ORDER

The civil revision petition is filed challenging the order passed by the trial court dismissing the application filed by the petitioners/plaintiffs seeking to delete the defendants 1 to 4 from the array of parties.



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2. The petitioners herein filed a suit seeking declaration that the first petitioner has got title and possession over the suit property and for consequential injunction restraining the defendants from interfering with the possession of the petitioner. Further, the petitioners also prayed for a declaration that the sale agreement executed by the 3rd defendant in favour of 4th defendant dated 12.07.1993, the power deed executed by the defendants 1 and 2 in favour of the 3rd defendant dated 16.08.1993, the sale agreement executed by the 3rd defendant in favour of the 4th defendant dated 01.12.2004 and the sale deed executed by defendants 3 and 4 in favour of the 5th defendant dated 03.10.2005 were null and void.

3. When the suit summons were taken to defendants 1 to 4, they were returned with the endorsement “died”. Since the petitioners are not able to get the details of the legal representatives of the deceased defendants 1 to 4, the instant application has been filed seeking to delete them from the array of parties. It is also stated that the suit property is in possession of fifth defendant and he is the contesting party in the suit. The trial court, by impugned order, dismissed the application filed by the petitioners and aggrieved by the same, the petitioners have come before this court.

4. The learned counsel for the petitioners submitted that the suit summons were taken to the correct address of defendants 1 to 4 and the same were



returned with an endorsement “died” and the petitioners are not able to get the correct details of the LR’s of the defendants 1 to 4 and therefore, the defendants 1 to 4 should be deleted from the array of parties.

5. The petitioners seek a declaration that various documents executed by defendants 1 to 4 were null and void. In such circumstances, the defendants 1 to 4 cannot be deleted from the array of parties. The petitioners are not entitled to get any declaration regarding the documents executed by defendants 1 to 4 without impleading the persons representing the estate of the defendants 1 to 4. Therefore, I do not find any error in the impugned order passed by the trial court. Accordingly, the civil revision petition stands dismissed. Consequently, the connected miscellaneous petition is closed. No costs.

25-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

The Additional District Judge (Fast track Court) Villupuram.



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S.SOUNTHAR, J.

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