



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-03-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CMP No. 7037 of 2026

in

CRP.No.601 of 2026

1. S.Rajavelu,
S/o.Settiya Gounder, 112/3,
Nanjankadu, Palanaickenpalayam,
Chikkanaickenpalayam Village,
Kokkarayanpettai Post, Cauvery R.S.,
Erode -638 007.

Appellant(s)

Vs

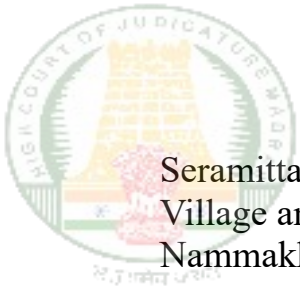
1. K.Mohan,
S/o.Kuppusamy, 4/209, Kattuvalavu,
Ramanathapuram, Kokkarayanpettai
Village and Post, Komarapalayam
Taluk, Namakkal District.

Settiya Gounder (Died)

2.Chinnusamy
S/o.Chettiana Gounder, 468, Gandhi
Nagar, Devanangkuruchi Village,
Devanangkuruchi Post, Tiruchengode
Taluke, Namakkal District.

3.Madheswaran
S/o.Sengodan, Veppankadu,
Thatchankattupalayam, Thokkavdi
Village and Post, Tiruchengode Taluke,
Namakkal District.

4.Ramasamy
S/o.Nallagounder, Kosavankadu,



Seramittampalayam, Devanankurichi
Village and Post, Tiruchengode Taluke,
Nammakkal District.

5.P. Ponnusamy
S/o.Pitchaimuthu Gounder, 74/4A,
Ponni Nagar, Velur Town, Paramathi
Taluk, Nammakkal District.

6.P. Saraswathi
W/o.P.Ponnusamy, 74/4A, Ponni Nagar,
Velur Town, Paramathi Taluk,
Nammakkal District.

7.Ponni Sugar Mills (Erode) Ltd,
Represented by its General Manager,
Pallipalayam, Cauvery R.S., Erode -638
007.

Respondent(s)

PRAYER

Civil Miscellaneous petition filed under Section 151 of Code of Civil Procedure, prays to vacate the interim stay granted on 12.02.2026 in CRP.No. 601 of 2026.

For Appellant(s): B.S.Manikandan

For Respondent(s): Mr.M.Santhanaraman for R1
Batta Due R2 to R7

ORDER

The petitioner has filed this petition to vacate the interim stay granted by this Court on 12.02.2026 in CRP.No. 601 of 2026.

2. The suit is of the year 2008. The eighth defendant, who had earlier obtained a stay order, filed a Civil Revision Petition, CRP.No.601 of 2025 and secured an order of stay. Aggrieved by the same, the present petitioner has filed this Civil Miscellaneous Petition.



3. The learned counsel for the petitioner submitted that the revision petitioner has no right to continue the stay proceedings and lacks locus standi to file the present revision, as he has already sold the property on 30.03.2022. He further contended that, during the pendency of the suit for partition, he had purchased a portion of the property and thereafter approached the Court with regard to other issues. However, as on date, he has also sold the said portion to a third party.

4. Subsequently, the plaintiff filed an amendment application seeking cancellation of the document in the pending suit. The said application was allowed, against which the revision petitioner preferred a CRP.No.601 of 2026 and obtained an order of stay. Due to the said stay, the trial court has been unable to proceed with the suit.

5. Considering the above, the petitioner now seeks to vacate the stay. The reasons assigned are found to be justifiable, particularly in view of the fact that the suit, instituted in the year 2008, has not progressed for several years due to the stay obtained by the revision petitioner, who is only a subsequent purchaser pendente lite. After such purchase, he ought to have worked out his remedies along with his vendor, who is one of the defendants in the suit. Therefore, the reasons assigned by the petitioner are sustainable. Accordingly, the stay order passed on 12.02.2026 in CRP.No.601 of 2026, is vacated.



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6. This Civil Miscellaneous petition is allowed.

7. Post the CRP.No.601 of 2026 on 16.04.2026, for final hearing.

18-03-2026

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

rri



To

1.K.Mohan,

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7.Ponni Sugar Mills (Erode) Ltd,

Represented by its General Manager,
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