



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-03-2026

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 2499 of 2025 & CRP NO. 2501 OF 2025

AND

CMP NO. 14320 OF 2025,CMP NO. 14323 OF 2025

1. Subulakshmi
W/o.Late Palanisamy,
Residing at Kaaliappagoundenputhur,
Thoppampatti Village, Dharapuram tk.,
Tiruppur Dist.
2. Muthusamy
S/o.Late Palanisamy,
Residing at Kaaliappagoundenputhur,
Thoppampatti Village, Dharapuram tk.,
Tiruppur Dist.
3. Karuppusamy
S/o.Late Palanisamy,
Residing at Kaaliappagoundenputhur,
Thoppampatti Village, Dharapuram tk.,
Tiruppur Dist.

..Petitioner(s) in
both C.R.P.s

Vs

1. Kaaliyappagounder
S/o.Kaaliappagounder,
residing at Kaaliappagounderpudur,
Thoppampatti Village, Dharapuram tk.,
Tiruppur Dist.
2. Thangavel
S/o.Chennimalaigounder,
residing at Kaaliappagounderpudur,
Thoppampatti Village, Dharapuram tk.,
Tiruppur Dist.



3. Aarusami

S/o.Chennimalaigounder,
residing at Kaaliappagounderpudur,
Thoppampatti Village, Dharapuram tk.,
Tiruppur Dist.

4. Kandhasamy

S/o.Chennimalaigounder,
residing at Kaaliappagounderpudur,
Thoppampatti Village, Dharapuram tk.,
Tiruppur Dist.

5. Karupusamy

S/o.Kaaliappagounder, residing at
Kaaliappagounderpudur, Thoppampatti Village,
Dharapuram tk., Tiruppur Dist.,

Palanisamy (died).

6. Venkateswaran

S/o.Karuppusamy,
residing at Kaaliappagounderpudur,
Thoppampatti Village, Dharapuram tk.,
Tiruppur Dist.

..Respondent(s) in
both C.R.P.s

PRAYER IN CRP No. 2499 of 2025

Civil Revision Petition filed under Art. 227 of Constitution of India, praying to set aside the order and decreetal order in IA.No.9 of 2025 in IA.No.631 of 2021 in OS.No.222 of 2021, on the file of the District Munsif, Dharapuram, dated 07-03-2025.

PRAYER IN CRP No. 2501 of 2025

Civil Revision Petition filed under Art. 227 of Constitution of India, praying to set aside the order and Decreetal order in I.A.No.8 of 2024 in I.A.No.631 of 2021 in O.S.No.222 of 2021 on the file of District Munsif, Dharapuram and dated 22.08.2024.

**In both CRPs**

For Petitioner(s): Ms.E. Yuvarani

WEB COPY For Respondent(s): Mr.K.V.Muthuvisakan
for R1 to R6**COMMON ORDER**

Challenging the impugned order passed in I.A.No. 9 of 2025 in I.A.No.631 of 2022 in O.S.No.222 of 2021, the proposed respondents 5 to 7 have preferred the Civil Revision Petition in C.R.P.No. 2499 of 2025.

2. Challenging the impugned order passed in I.A.No. 8 of 2024 in I.A.No.631 of 2022 in O.S.No.222 of 2021, the plaintiffs have preferred the Civil Revision Petition in C.R.P.No. 2501 of 2025.

3. Before the trial court, the plaintiffs have filed an application to reopen in I.A.No.631 of 2024 and the same was closed by the court on 04.10.2023 for the reason that 3rd respondent died, but no steps taken. The trial judge held that no steps taken as against 3rd respondent, the said application was dismissed. Accordingly, the suit was also dismissed as abated consequently due to steps not taken. Subsequently, the plaintiffs filed three Interlocutory Applications in I.A.Nos.9 to 11 of 2025 to implead the legal heirs of 3rd respondent and the same was allowed on cost. Now, it is at the stage of carrying out necessary amendment. But, inadvertently, the petitioners have not taken steps to carry out amendment. Therefore, they came forward with the application to reopen in I.A.No.8 of 2024 in I.A.No.631 of 2021 in O.S.No. 222 of 2021 and the same



was considered by the trial judge, accordingly, the application was allowed and consequently, they have also filed another application in I.A.No.9 of 2025 to condone the delay in setting aside the abatement. The said application was also objected by the respondents stating that after long time, without assigning any reason, they have come forward with the application to implead legal heirs of 3rd respondent. Considering both side submissions, the trial judge has held that the suit is of the year 2021 and to avoid multiplicity of proceedings, the trial court had inclined to allow the application on payment of cost. Consequently, allowed the applications in I.A.Nos. 9 to 11 of 2025. Aggrieved over that, the defendants preferred this Civil Revision Petition in C.R.P.No.2499 of 2025

4. The learned counsel for Revision Petitioners would argue that at the time of filing of the suit, the plaintiffs purposely not taken steps to implead the legal heirs in the interim application in I.A.No. 631 of 2021, but the court below not appreciated the same and erroneously allowed the application.

5. Considering both side submissions, the fact reveals that for not taking steps to implead the legal heirs of 3rd respondent, pending suit, the trial judge has dismissed the suit as abated. Subsequently, the plaintiffs have taken steps and the legal heirs were permitted to implead, but they failed to take steps to carry out necessary amendment. Therefore, they came forward with the present application. So, to avoid multiplicity of proceedings, the applications were allowed, which requires no interference, since already the legal heirs are permitted to implead in the main suit. So, it also applies to all interim



applications automatically. Therefore, I do not find any merit in these Civil Revision Petitions and the findings rendered by the trial judge in I.A.No. 9 to 11 of 2025 and I.A.No. 8 of 2024 which requires no interference. Both parties are directed to cooperate for the trial proceedings. Accordingly, these Civil Revision Petitions are dismissed. No costs. Consequently, connected Civil Miscellaneous Petitions are closed.

02-03-2026

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

RPP

To

The District Munsif Court, Dharapuram.



WEB COPY

CRP No. 2499 of 2



T.V.THAMILSELVI J.

RPP

**CRP No. 2499 of 2025 CRP NO. 2501 OF 2025
AND
CMP NO. 14320 OF 2025, CMP NO. 14323 OF 2025**

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