



WEB COPY

CRP No. 3507 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-02-2026

CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

C.R.P. No. 3507 of 2024

and C.M.P.No.19018 of 2024

R. Kathiravan
S/o.N.Raghavan
No.43/21, 13th Trust Cross Street,
Mandavelipakkam,
Chennai – 600 028.

..Petitioner(s)

Vs

N. Raghavan (Died)
S/o.Natesan

1. The Sub-Registrar,
Ponneri, Tiruvallur District – 601 204.
2. Samundeeswari
3. R.Komeleswari
4. R.Bhuvaneswari
5. R.Maheswari
6. R.Akilandeswari
7. R.Rajeswari
8. R.Duragadevi

Respondents 2 to 8 are brought on record as Lrs of
the deceased N.Raghavan, vide order dated
15.07.2025 made in CMP No.3536 of 2025 in
CRP No.3507 of 2024.

..Respondent(s)



Prayer: The Civil Revision Petition is filed under Article 227 of the Constitution of India against order in I.A.No.4 of 2023 in O.S.No.8 of 2020 dated 27.04.2024 on the file of the District Munsif Court at Ponneri, Tiruvallur District.

For Petitioner(s): Mr.S. Mukunth, Senior Counsel
for Mr.S.Anandakumar

For Respondent(s): Mr. A. Anandan
Government Advocate for R1
Mr. K.A.Vimal Kumar for R2 to R8

ORDER

This civil revision petition has been filed challenging the order passed by the Trial Court dismissing the application filed by the petitioner under Order 22 Rule 4(4) of CPC seeking exemption from substituting the legal representatives of the deceased first defendant in the suit.

2. The petitioner herein/plaintiff filed a suit in O.S.No.8 of 2020 for declaration that the unilateral cancellation of settlement deed executed by his father, the first defendant in the suit was null and void and for permanent injunction restraining the first defendant from alienating or encumbering the suit property. In the suit, the first defendant failed to appear before the trial court, even after receipt of summons and hence, he was set exparte on 24.03.2022. The 2nd defendant in the suit, namely the Sub Registrar, Ponneri was also set



exparte on 13.07.2022. The petitioner/ plaintiff was examined as PW1 and various documents were marked on his side as Ex.A1 to Ex.A8. The Trial Court heard the arguments of the petitioner on 06.08.2022 and finally, the matter was posted for pronouncing judgment on 28.08.2022. But, on the subsequent hearing, the matter was suomotu reopened and posted for clarification. In the meantime, on 06.12.2022, the first defendant died intestate. Hence, the trial court directed the petitioner to bring on record the legal representavies of the deceased first defendant. At this stage, the petitioner/plaintiff filed the instant application under Order 22 Rule 4(4) of CPC seeking exemption to substitute the legal heirs of the deceased first defendant, who remained exparte and failed to file written statement. The Trial Court dismissed the said application by observing that the impleadment of the legal heirs of the deceased first defendant is necessary to adjudicate the matter comprehensively in order to avoid multiplicity of proceedings. Aggrieved by the same, the petitioner has come before this court.

3. It is seen from the memorandum of grounds that at the time of filing civil revision petition, the petitioner impleaded the other legal heirs of the first defendant as respondents 2 to 8 and they are represented by counsel. When the petitioner already impleaded the legal heirs of the first defendant as party respondents in this revision, there may not be any impediment for the petitioner



to implead them as party defendants in the suit also in order to have the lis adjudicated in a comprehensive manner and to prevent further litigation at the instance of the legal heirs of the first defendant. Therefore, I am not inclined to interfere with the impugned order passed by the Trial Court and the petitioner is directed to implead the respondents 2 to 8, the legal representatives of the deceased first defendant, as party/ defendants in the suit and proceed with the matter.

4. With the above direction, this civil revision petition is dismissed. There shall be no order as to costs. Connected miscellaneous petition is closed.

19-02-2026

MST

To

The District Munsif Court at Ponneri, Tiruvallur District.



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S.SOUNTHAR, J.

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