



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-03-2026

CORAM

THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

**A No. 4617 of 2024
in C.S.No.373 of 2014**

Manish Agrawal
19/20, General Muthiah Mudali Street,
Chennai-600 079.

..Applicant(s)

Vs

1. M/s.Vasavi Cerunti
Constructions Pvt Ltd., Rep. By Its Director
P.Badrinath, No.8-a, Kandasamy St,
R.A.Puram, Chennai-28.
2. J.Abdul Rauf
No.8-a, Kandasamy St, R.A.Puram,
Chennai-28. Rep. By Power Agent M/s.Vasavi
Cerunti Constructions Pvt Ltd, Rep. By Its
Director P.Badrinath
3. N.A.Mohideen Gafoor
No.8-a, Kandasamy St, R.A.Puram,
Chennai-28. Rep. By Power Agent M/s.Vasavi
Cerunti Constructions Pvt Ltd, Rep. By Its
Director P.Badrinath
4. A.C.Ravi
36/2, Elango Street, Teynampet,
Chennai 600 018.
5. Mrs.T.Deepa
NO.28, Parameswari Nagar, 2nd Street, Adyar,
Chennai 600 020.
6. V.Kalyanaraman,
NO.28, Parameswari Nagar, 2nd Street, Adyar,
Chennai 600 020.



7. R.R.Prabhu Ganesh
NO.2, Nadu Neikkara Street, Eda Street Main
Road, Pakakkarai, Tiruchirapalli 620 001.
8. Mrs.R.Pavitra
NO.2, Nadu Neikkara Street, Eda Street Main
Road, Pakakkarai, Tiruchirapalli 620 001.
9. Hdfc Bank Ltd
1st Floor, GVR Complex, Cantonment,
Tiruchirapalli 620 001.
(Cause title amended as per order of this
Honble court at 10/03/2025 in A.no.1176/2025)
- 10.J.Larsen Mallick Raja
H49, Thamirapathi Colony,
THigayagarajanagar, Trinielveli 627 011.
- 11.Mrs.Kshipra Rani Pradhan
Dalasingha Marthapur, P.O. Santhapur,
P.S.Gondsia, District Dhenkanal,
Odisha 759 016.
- 12.Gangadhar Baral
Dalasingha Marthapur, P.O. Santhapur,
P.S.Gondsia, District Dhenkanal,
Odisha 759 016.
- 13.State Bank of India
Retail Assets, Central Processing Centre OMR
Rajiv Gandhi Salai, Chennai 600 096.
- 14.M.Mohan
No.89, Block 3, Kamaraj Colony, T.Nagar,
Chennai 600 028.
- 15.State Bank of India
Retail Assets Central Proceedings Centre, MRC
Nagar, No.82, Dr.DGS Dinakaran Salai,
Chennai 600 028.
- 16.Ravishankar Kuppusamy
5/51, New No.5/59, Chinnavallipalayam,



Punjal Kadambankurichi,
Karur District 639 113.

17. Mohanraj Kuppusamy
5/51, New No.5/59, Chinnavallipalayam, Punjai
Kadambankurichi, Karur 639 113.

18. P. Rengarajan
New No.5/211, Old No.3/56, East Street,
Thamarankottai North, Thanjavur 614 613.

19. P. Ramamoorthy
New No.5/211, Old No.3/56, East Street,
Thamarankottai North, Thanjavur 614 613.

20. Vikneeshwar A
No.67, 1st Cross Street, DR Nagar,
Rosapalayam, Pondicherry 605 013.

21. State Bank of India
RASMECC, Pondicherry

22. Sathish Kumar
2/479, Thanjai Nagar, Salai, Saliyammangalam,
Thanjavur 613 504.

..Respondent(s)

PRAYER: To implead the respondents 4 to 22 as defendants 4 to 22 in the suit.

For Applicant(s): Mr. V. Balasubramaniam
for M/s. V. Balasubramaniam And Associates

For Respondent(s): Mr. S. Thangasivam
for R4, 7, 8, 10 to 12, 14, 16 to 20 & 22
Ms. S. Sushmitha
for M/s. N. Ravishankar Vallatharasu for R9
Mr. S. Bharathvaaj
for M/s. Kadambri Suresh for R5 & R6



ORDER

The suit was filed for specific performance of 9 agreements of sale dated 09.03.2011 and 9 construction agreements dated 24.06.2011 pertaining to the properties described in the schedule to the plaint. The plaintiff prayed for a money decree in the alternative and for injunctive relief.

2. By this application, the plaintiff seeks to implead respondents 4 to 22 as defendants 4 to 22 in the suit.

3. Learned counsel for the plaintiff submits that the suit schedule flats were sold to the proposed defendants (except for the banks) by conveying undivided share in the land. He also adds that some of the purchasers availed of bank loans by creating a mortgage over the respective property, and that the banks / mortgagees are also proposed to be added as parties.

4. A common counter affidavit has been filed on behalf of the respondents 4, 7, 8, 10, 11, 12, 14, 16, 17, 18, 19, 20 and 22. Learned counsel for those respondents submits that the plaintiff was aware of the purchases made by these respondents many years ago, but has chosen to file this application at this distance point of time.

5. The fifth and sixth respondents also filed their counters. The State Bank of India (respondents 15 and 21) have also filed a counter affidavit.



6. Similarly, the HDFC Bank has filed a counter affidavit. The bank states that they disbursed loans to specific respondents, who had applied for the same, based on their loan eligibility.

7. As noticed earlier, the suit is for specific performance of agreements of sale and construction agreements. Although *lis pendens* would apply in case transactions with the proposed defendants had been entered into after the suit was filed, it is likely that the judgment and decree in the suit would have an impact on the proposed defendants. It is also likely that these proposed defendants would be in a position to place on record information and documents necessary for the effective adjudication of issues that arise for consideration in the suit.

8. Considering the aforesaid, this impleading application is allowed as prayed for. Therefore, the plaintiff is directed to carry out the amendments in the plaint on or before 23.03.2026 and serve copies of the amended plaint on all the defendants within one week therefrom.

09-03-2026
(1/2)

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SENTHILKUMAR RAMAMOORTHY, J.

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(1/2)**