



WEB COPY

CRP No. 3828 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. 3828 of 2024

and C.M.P.No.21009 of 2024

S. Ramasamy
S/o.late Samy,
Madukkarai Thambi Thottam,
Kalampayalam,
Coimbatore – 641 010.

..Petitioner(s)

Vs

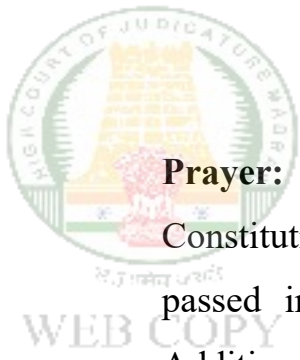
1. K. Kappinisamy
S/o.P.M.Nanjappan,
2/28, Bharathiyar Street,
Kalampalayam, Coimbatore – 10.

2. M/s.Explicit Promoters &
Agency (P) Ltd.,
Rep. by its Authorised
Signatory C.Ganesan
Regd. Office:
No.54, Mettupalayam Road,
G.N.Mill Post, Coimbatore – 641 029.

3. M. Palaniammal
W/o.late Mylsamy

4. M. Velusamy
S/o. Late Mylsamy

..Respondent(s)



Prayer: The Civil Revision Petition is filed under Article 227 of the Constitution of India against the fair and decreetal order dated 02.08.2024 passed in I.A.No.2 of 2024 in O.S.No.1555/2015 on the file of the IV Additional District Munsif Court, Coimbatore.

For Petitioner(s): Ms. Swetha. J.
for Mr.K.Govi Ganesan

For Respondent(s): Mr.S.Abhijeet Krishna
for M/s.V.Srikanth for R1 and R2

ORDER

This Civil Revision Petition has been filed challenging the order passed by the Trial Court, allowing the application filed by the respondents 1 and 2 seeking impleadment of second respondent as second plaintiff in the suit.

2. The first respondent herein/plaintiff filed a suit in O.S.No.1555 of 2015 against the petitioner/1st defendant and the respondents 3 and 4 herein/ 2nd and 3rd defendant seeking declaration that the petitioner is an illegal occupant of the suit property and for recovery of vacant possession of the property from the petitioner/first defendant. Pending suit, the first respondent herein/plaintiff, who holds a life estate with vested remainder with his son K.Arjun over the suit property, sold a portion of the suit property to the 2nd respondent herein on 30.01.2024. Since the 2nd respondent acquired right over a portion of the suit property, pending suit, instant application has been filed by him seeking



permission to implead the company as second plaintiff in the suit. The Trial Court allowed the said application and aggrieved by the same, the petitioner has come before this court.

3. The learned counsel for the petitioner/1st defendant would submit that the 2nd respondent company herein is only a *pendente lite* purchaser and therefore, there is no necessity to implead it in the suit. It is further submitted by the counsel that even though as a purchaser, the 2nd respondent can get itself substituted in the place of the original plaintiff, the application filed to implead the 2nd respondent as second plaintiff in the suit is not legally sustainable.

4. The facts are not disputed. The first respondent is a life estate holder of the suit property and absolute estate is vested with his son. Both of them sold their right over a portion of the suit property to the 2nd respondent. Therefore, 2nd respondent is owner of the portion of the suit property purchased by him. The relief sought for in the suit is for a declaration that the petitioner/1st defendant is an illegal occupant and for recovery of vacant possession.



5. Having regard to the possessory relief sought for by the first respondent/plaintiff, this court feels that the 2nd respondent, who is the *pendente lite* purchaser is entitled to implead itself as a party in the suit in order to avoid further complication at the time of execution. Therefore, even as per the case of the petitioner, only a portion of the suit property was sold to the 2nd respondent and the first respondent remains owner of the life estate in respect of of the unsold portion. In such circumstances, the 2nd respondent cannot substitute the first respondent as sole plaintiff. Hence, the second objection raised by the petitioner is also rejected.

6. Accordingly, this civil revision petition is dismissed. There shall be no order as to costs. Connected miscellaneous petition is closed.

19-02-2026

Index: Yes/No
Speaking / Non Speaking Order
Neutral Citation: Ye/No
MST

To

The IV Additional District Munsif Court, Coimbatore.



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S.SOUNTHAR, J.

MST

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