



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-04-2026

CORAM

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

CRP No. 3995, 3999, 4001, 4002, 4003 & 4004 of 2025

AND

CMP Nos.20797, 20801, 20809, 20805, 20811 & 20808 of 2025

CRP No.3995 of 2025

1. M. Venkatesh
2. M.Ellappa
3. Lagummaya
4. M.Marappa
5. Yellamma

..Petitioner(s)

Vs

1. R.Rajaram
2. B.Thippaiah
3. T.yellappa
4. T.Chinnappa
5. T.Ontiyappa
6. T.Rajappa
7. T.Suresh
8. T.Mariyappa
9. The Collector
District Collector Office, Krishnagiri.
- 10.The Sub Collector
Sub Collector Office, Hosur.
- 11.The Tahsildar
Taluk Office, Hosur.
- 12.Village Administrative Officer
Mookandapalli Village, Hosur.



13. The Sub Registrar
Sub Registrar Office, Hosur.

WEB COPY

..Respondent(s)

CRP No.3999 of 2025

1. M. Venkatesh
2. M.Ellappa
3. Lagummaya
4. M.Marappa
5. Yellamma

..Petitioner(s)

Vs

1. D.Varalakshmi
2. B.Thippaiah
3. T.Yellappa
4. T.Chinnappa
5. T.Ontiyappa
6. T.Rajappa
7. T.Suresh
- 8.T.Mariyappa

..Respondent(s)

CRP No.4001 of 2025

1. M.Venkatesh
2. M.Ellappa
3. Lagummaya
4. M.Marappa
5. Yellamma

... Petitioner(s)

Vs

1. S.Sujith Kumar
2. B.Thippaiah



3. T.Yellappa
4. T.Chinnappa
5. T.Ontiyappa
6. T.Rajappa
7. T.Suresh
8. T.Mariyappa

... Respondent(s)

CRP No.4002 of 2025

1. M.Venkatesh
2. M.Ellappa
3. Lagummaya
4. M.Marappa
5. Yellamma

... Petitioner(s)

Vs

1. Y.Annaiahhyappa @ Annaiah
2. B.Thippaiah
3. T.Yellappa
4. T.Chinnappa
5. T.Ontiyappa
6. T.Rajappa
7. T.Suresh
8. T.Mariyappa

9. The Collector
District Collector Office, Krishnagiri.

10. The Sub Collector
Sub Collector Office, Hosur.

11. The Tahsildar
Taluk Office, Hosur.

12. Village Administrative Officer
Mookandapalli Village, Hosur.

13. The Sub Registrar
Sub Registrar Office, Hosur.



... Respondent(s)

CRP No.4003 of 2025

1. M.Venkatesh
2. M.Ellappa
3. Lagummaya
4. M.Marappa
5. Yellamma

... Petitioner(s)

Vs

1. Y.Ilamaaran
2. B.Thippaiah
3. T.Yellappa
4. T.Chinnappa
5. T.Ontiyappa
6. T.Rajappa
7. T.Suresh
8. T.Mariyappa

... Respondent(s)

CRP No.4004 of 2025

1. M.Venkatesh
2. M.Ellappa
3. Lagummaya
4. M.Marappa
5. Yellamma

... Petitioner(s)

Vs

1. M.Madhukumar
2. B.Thippaiah
3. T.Yellappa
4. T.Chinnappa
5. T.Ontiyappa
6. T.Rajappa
7. T.Suresh
8. T.Mariyappa

9. The Collector



District Collector Office, Krishnagiri.

10. The Sub Collector
Sub Collector Office, Hosur.

11. The Tahsildar
Taluk Office, Hosur.

12. Village Administrative Officer
Mookandapalli Village, Hosur.

13. The Sub Registrar
Sub Registrar Office, Hosur.

... Respondent(s)

PRAYER in CRP No.3995 of 2025 : Civil Revision Petition is filed under Article 227 of the Constitution of India, to strike off the plaint in OS.No.123 of 2024 on the file of the District Munsif Court, Hosur by allowing the present CRP.

PRAYER in CRP No.3999 of 2025 : Civil Revision Petition is filed under Article 227 of the Constitution of India, to strike off the plaint in OS.No.152 of 2022 on the file of the District Munsif Court, Hosur by allowing the present CRP.

PRAYER in CRP No.4001 of 2025 : Civil Revision Petition is filed under Article 227 of the Constitution of India, to strike off the plaint in O.S.No.132 of 2022 on the file of District Munsif Court, Hosur, by allowing the present CRP.

PRAYER in CRP No.4002 of 2025 : Civil Revision Petition is filed under Article 227 of the Constitution of India, to strike off the plaint in OS.No.125 of 2024 on the file of the Dist.Munsif Court, Hosur by allowing the present CRP.



PRAYER in CRP No.4003 of 2025 : Civil Revision Petition is filed under Article 227 of the Constitution of India, to strike off the plaint in O.S.No.142 of 2022 on the file of District Munsif Court, Hosur, by allowing the present CRP.

PRAYER in CRP No.4004 of 2025 : Civil Revision Petition is filed under Article 227 of the Constitution of India, to strike off the plaint in OS.No.124 of 2024 on the file of the District Munsif Court, Hosur by allowing the present CRP.

In CRP Nos.3999, 4001 & 4003 of 2025:

For Petitioner(s): Mr.M. Venkatesh

For Respondent(s): Mr.S.Parthasarathi for R1

In CRP Nos.3995, 4002 & 4004 of 2025:

For Petitioner(s): Mr.M. Venkatesh

For Respondent(s): Mr.S.Parthasarathi for R1

Mr.V.Ramesh
Government Advocate for R9 to R13

COMMON ORDER

The revision petitioners herein are the defendants 8 to 12 in the suit in OS Nos.152, 132 & 142 of 2022 and 123, 125 & 124 of 2024 on the file of the District Munsif Court, Hosur, to strike off the plaint stating that the first respondent / plaintiff who prays the title through the earlier vendor, namely, Nanjappa, was having no right over the property, therefore the subsequent purchase made by the respondents are not valid and *non-est* in law to revoke the



earlier situation as well as the findings rendered in SA No.1337 of 2008. As on date, the defendants are the original legal heirs of Kunnigadu, who is the original owner of the suit property and who also filed the Suit in OS No.131 of 2002. Though the said suit was decreed in favour of Nanjappa, against which an appeal was filed and the said appeal was also confirmed. In the second appeal, this Court reversed the findings and dismissed the suit. Thereafter, these revision petitioners taken steps to cancel the mutation of records which stands in the name of the purchasers and accordingly, in the month of June 2025, the revenue officials cancelled the subdivision and also cancelled the patta in favour of the plaintiff in respect of 31 cents as subjected to the suit property. In the meanwhile, the purchaser has filed the suit in the year 2022 claiming that they purchased the property after the disposal of the first appeal admittedly, pending SA No.1337 of 2008 of the earlier suit. Thereafter, they come forward with the present suit stating that they were bonafide purchasers of the suit property. Based on those decrees of the appellate court as well as trial court, they relied that Nanjappa is the original owner of the property and purchased the properties and now they are in possession of the property. After the second appeal proceedings the defendants are causing interference, hence they come forward with the suit. At the stage the defendants in the suit / revision petitioners have preferred these revision petitions praying to strike off the plaint stating that this is the case is abuse of process of law.



WEB COPY

2. Since already title of the defendants were confirmed in the second appeal proceedings and the present plaintiffs, who are the bonafide purchasers and now they are in possession of the suit properties which is the subject to issue of the earlier suit, is not entitled to file a present suit, as such prays to strike off the plaint.

3. The learned counsel for the respondents submits that the plaintiffs are being the bonafide purchasers, by relying the sale deed dated 05.10.1970 which stands in the name of Ellappa ,who is the brother of Nanjappa *erstwhile* vendor of the plaintiff and as on date, among Nanjappa and his brother there was a partition, based on that Nanjappa sold the property even much prior in the year 2002 suit, but the purchasers of the property not been impleaded in the suit. Subsequently, even the present plaintiffs who are the purchase of the property also not been impleaded, though the revision petitioners were very well aware of the same. Furthermore, as on date the sale deed dated 05.10.1970 stands in the name of Nanjappa's brother not been cancelled. Further he submits that the date of death of Kunnigadu is under dispute. Even the revision petitioners relied the certificate issued by the Magistrate in respect of death of Kunnigadu which is also not valid under law. But still they are having valid defence to prove their title and therefore, they pray to raise objections to strike off the



plaint.

WEB COPY

4. Considering both the submission, the fact reveals that the suit property originally belongs to Kunnigadu from whom the vendor of the present plaintiff namely, Nanjappa traced the title and after that there was a dispute with regard to the present revision petitioners and Nanjappa. The suit arose in OS No.131 of 2002 and on appeal Nanjappa succeeded and in only second appeal, the findings were reversed. Pending litigations, some of the plaintiffs were purchased the property, but they were not parties to the suit proceedings. Even prior to the suit 2002 there were some alienations now the entire suit property is converted in to house site and still the plaintiffs are claiming themselves as purchasers of the properties. Even at the time of pending of the appeal, nearly about ten purchasers were purchased the properties but the said revision petitioners also not taken any steps to implead them. Even before the suit after the earlier suit there was a purchase and alienations but they have not been added. Therefore, the plaintiffs as a bonafide purchasers claiming right over the property and on such circumstances, this Court is not inclined to strike off the proceedings and both the parties are directed to approach the trial court and work out the remedy by submitting their right and defence as per manner known to law.



5. With the above observations, these Civil Revision Petitions are dismissed. No costs. Consequently, the connected Civil Miscellaneous Petitions are closed.

24-04-2026

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

MTL

To

1. The District Munsif Court, Hosur.
2. The Collector
District Collector Office, Krishnagiri.
3. The Sub Collector
Sub Collector Office, Hosur.
4. The Tahsildar
Taluk Office, Hosur.
5. Village Administrative Officer
Mookandapalli Village, Hosur.
6. The Sub Registrar
Sub Registrar Office, Hosur.



WEB COPY

CRP Nos. 3995, 3999, 4001, 4002, 4003 & 4004 of



T.V.THAMILSELVI J.

MTL

**CRP No. 3995, 3999, 4001, 4002, 4003 & 4004 of 2025
AND
CMP Nos.20797, 20801, 20809, 20805, 20811 & 20808 of 2025**

24-04-2026