



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-03-2026

CORAM

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

CRP No. 1218 of 2026

S.Praveen Raj, S/o K.P Srisivam,
No.14/31 Vellaiyankottavur,
Karimangalam Post and Tk.,
Dharmapuri Dist.

..Petitioner(s)

Vs

1. M.Gunasekaran, S/o Muthumanickam,
Vellaiyankottavur,
Karimangalam Post and
Tk, Dharmapuri Dist.
2. K.Senthil Kumar, S/o.Kaliyappan,
No.1/57 Pulikal Village,
Elangalapatti Post, Karimangalam Tk.,
Dharmapuri Dist.

..Respondent(s)

Prayer : Civil Revision Petition filed under Article 227 of Constitution of India to set aside the fair and decreetal order passed by the Addl.Dist.and Sessions Judge Dharmapuri in IA.No.6 of 2025 in OS.No.238 of 2022.

For Petitioner(s):

Mr.R.Sethuvarayar



ORDER

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Challenging the impugned Order passed by the trial Court in I.A.No.6 of 2025 in O.S.No.238 of 2022, the present Civil Revision Petition has been preferred by the plaintiff.

2. The suit has been filed by the plaintiff for specific performance to direct defendant to execute the sale deed in favour of the plaintiff in respect of the suit property and deliver possession of the property. Pending suit, as the defendant had entered into a registered sale agreement with the proposed party, plaintiff had filed the application to implead the proposed party as a party to the suit. The trial Court, on hearing both sides, had dismissed the application holding that the proposed party is not a necessary party to the proceedings, more particularly, as the relief of specific performance of the sale agreement is only entered between the plaintiff and the defendant and the proposed party is no way connected with the agreement. Aggrieved over the same, the present Civil Revision Petition has been filed.

3. The learned counsel appearing for the petitioner would submit that pending suit, the defendant has entered into a sale agreement with the proposed party. Therefore he had filed an application in I.A.No.6 of 2025 to implead the proposed party as he is a necessary party to the suit. But the trial Court had



erroneously dismissed the application. Hence, seeks to set aside the Order of the trial Court.

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4. The plaintiff had filed the suit for specific performance of the agreement between the plaintiff and the defendant. It is the contention of the defendant that during the pendency of the suit, the defendant had entered into a registered sale agreement with the proposed party on 23.06.2025. As there is another registered agreement still existing between the plaintiff and the defendant, the proposed party is a necessary party to the suit. Hence, this Court is inclined to set aside the Order of the trial Court. The trial Court shall implead the proposed party and proceed further in the suit. Liberty is granted to the plaintiff as well as the defendants to raise all their issues before the trial Court.

5. Accordingly, this Civil Revision Petition is allowed. No costs.

10-03-2026

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

vrc

To

The Additional District and Sessions Judge,
Fast Track Court, Dharmapuri.



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T.V.THAMILSELVI, J.

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