



THE HIGH COURT OF JUDICATURE AT MADRAS

Judgment reserved on : 23.02.2026

Judgment pronounced on : 27.02.2026

CORAM

THE HON'BLE MR. JUSTICE P.B.BALAJI

Rev.Appl.No.262 of 2025
& CMP.No.30791 of 2025

U.Parthan

.. Applicants

Vs.

1.R.Sundararajan
2.Sundar Ganesh
3.Meenakshi Sundaram
4.Rev.Dr.Kurien Thomas

.. Respondents

Prayer: Civil Revision Petition filed under Order XLVII Rules 1 & 2 r/w Section 114 of CPC, to review its order dated 22.08.2025 made in CRP.No.1957 of 2025.

For Applicant : Mr.P.Valliappan
Senior Counsel for M/s.P.V.Associates

For Respondents : Mr.V.Raghavachari
Senior Counsel for Mrs.V.Srimathi for RR1 to 3
Mr.AC.Chandrasekar for R4

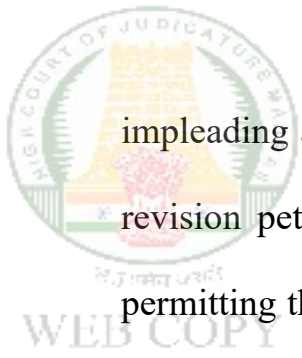


ORDER

This review application has been filed by the first respondent in CRP.No.1957 of 2025 dated 22.08.2025.

2.I have heard Mr.P.Valliappan, learned Senior Counsel for M/s.P.V.Law Associates for the review applicant and Mr.V.Raghavachari, learned Senior Counsel for Mrs.V.Srimathi for respondents 1 to 3 and Mr.A.C.Chandrasekar, learned counsel for the fourth respondent, who is the second respondent in the revision petition.

3.Mr.P.Valliappan, learned Senior Counsel, would bring to my notice that in the order dated 22.08.2025 that there are adverse findings rendered by me against the review applicant and that it will come in the way of the applicant pursuing his lawful remedies that may be available before the competent civil Court. The learned Senior Counsel would state that the petitioner has parted with Rs.80,00,000/- and has entered into an agreement with the second respondent and today, the vendor of the petitioner / review applicant, is not diligently defending the suit and therefore, it has become absolutely necessary for the review applicant to step into his shoes and canvass all his rights in order to secure and protect his interests. The learned Senior Counsel would further state that the review applicant is therefore a proper and necessary party and the trial Court, in fact rightly, finding that the review applicant was to be added as a party, allowed the



impleading application. He would therefore state that this Court, while disposing of the revision petition filed by the respondents 1 to 3 herein, had also set aside the order permitting the impleadment of the review applicant. The learned Senior Counsel would therefore state that the said order has to be necessarily reviewed, as otherwise the review applicant will be left high and dry, with nowhere to go and no remedy to seek.

4.Per contra, Mr.V.Raghavachari, learned Senior Counsel appearing for the respondents 1 to 3 would state that there is no error apparent on the face of the order, which is now sought to be reviewed. He would take me through the relevant paragraphs, where I have rendered categorical findings, as to why the review applicant is neither a proper nor necessary party and he would therefore state that the review applicant has no locus to even seek review, leave alone seek impleadment in the pending suit, which has been filed on a definite cause of action against the defendants in the suit, in respect of which, the review applicant has no role to play. The learned Senior Counsel would therefore pray for dismissal of the review application.

5.Mr.A.C.Chandrasekar, learned counsel appearing for the fourth respondent would deny the claim of the review applicant that the review applicant has paid Rs.80,00,000/- to the fourth respondent and that the fourth respondent is not diligently following up the matter, which will result in serious prejudice to the review applicant.



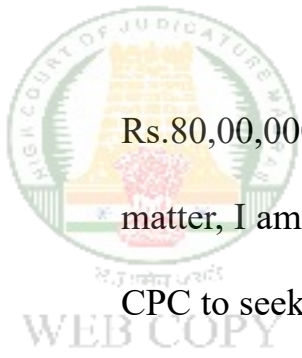
6.I have carefully considered the submissions advanced by the learned Senior

Counsel on both sides and also the learned counsel for the fourth respondent.

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7.The primordial submission of Mr.P.Valliappan, learned Senior Counsel is that the valuable rights of the review applicant will be lost forever, if the findings in the revision petition are allowed to stand, as he will not be in a position to recover the amount of Rs.80,00,000/- advanced to the fourth respondent and he would also not be in a position to defend his rights and interest in the immovable property. Though it is so contended by Mr.P.Valliappan, learned Senior Counsel and it is the case of the review applicant that he was put in possession of the suit property, I have discussed the rival submissions and contentions advanced in the revision petition and rendered a finding that there is no material to show that the review applicant was even put in possession. Further, in any event, the review applicant is only an agreement holder. He does not get any right, title or interest in the suit property, unless and until the agreement of sale fructifies into a registered sale deed.

8.Be that as it may, I have also found that it is not as if the vendors of the review applicant have abandoned the suit. I have recorded that even after the agreement to the review applicant, the defendant in the suit has been following up the suit, besides also giving evidence and objecting to the claim made by the revision petitioners and it is also the case of the fourth respondent that they do not admit the receipt of any sum of



Rs.80,00,000/-, as advance, as claimed by the review applicant. In such view of the matter, I am afraid that there are absolutely no grounds that are available under Order 47 CPC to seek review of my order dated 22.08.2025.

9.The points that have been argued by Mr.P.Valliappan, learned Senior Counsel have already been considered and rejected. It would however suffice to indicate that any observations that may have been made against the review applicant will not come in the way of the review applicant agitating his rights as against the second respondent. This however, cannot take away the rights of the revision petitioners which is independent of the transaction between the review applicant and the fourth respondent herein. It would always be open to the review applicant to file appropriate legal proceedings against his vendor, claiming rights under the alleged agreement of sale between the applicant's father and the second respondent. The said agreement will not in any manner stifle the valuable rights of the revision petitioners. There is no merit in the review.

10.In fine, the Review Application is dismissed. No costs. Connected Civil Miscellaneous Petition is closed.

27.02.2026

Neutral Citation Case : Yes / No
Speaking / Non-speaking order
Index : Yes/No
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P.B.BALAJI.J,

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Pre-delivery order made in
Rev.Appl.No.262 of 2025
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