



WEB COPY

CRP No. 45 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-02-2026

CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

CRP No. 45 of 2026 and

CMP.No.92 of 2026

R.Babu @ Senthilkumar

..Petitioner(s)

Vs

K.Kandasamy (Died)

1. 1 Rajammal
2. D.Alamelu
3. S.Revathi
4. R.Selvakumar
5. G.Vijayalakshmi
6. R.Sukuna
7. R.Gangeswari

Kaliammal (died)

8. Principal Manager
Indian Bank,
Salem Main branch, 101A,
Arunachalam Street,
Salem-636001
9. S.Nirmala
- 10.K.Vijayalakshmi



11.R.Lalithamani

12.S.Sowmiya

13.S.Shrithik

14.S.Vijayalakshmi

15.S.Rahul Karthik

16.D.Selvamani

17.Dr.N.Govindaswamy

18.S.Sanjeev Kumar

19.R.S.N.Ashvika

20.P.Thangammal

21.T.Ramani

22.I.Indira,

23.Suganthi Nachimuthu Govindaswamy

24.R.Rajasekaran

25.Kumar alias M.Chokkaiyan

S/o.N.S.Muthugounder,

(Sri Shakti Educational Trust)

Door NO.1/76, Sokkaiyagounder kattuvalavu,

Vanavasi Post, Mettur Taluk,

Salem District-636 457

26.S.Perumal

27.P.Palanisamy

28.Jayanthi

29.M.Prabhakaran

30.S.Chinnusamy

31.P.Thambi

32.Sri Saravana Niketan Matriculation School

NO.231/1 Mettur-Bhavani Main Road,



Nerunjipet, Anthiyur Taluka,
Erode District-638311

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33.Sri Saravana Academy

No.122, Mettur-Bhavani Main Road,
Nerunjipet, Anthiyur Taluka,
Erode District-638311

34.Parameshwari Marriage Hall

Mettur-Bhavani Main Road,
Nerunjipettai Cross Dam-2,
Nerunjipettai, Anthiyur Taluk,
Erode District-638311

35.Sri Shakti Educational Trust

No.27, Jalakandapuram Main Road,
Behind ONS Kalyana Mandapam,
Sanarpatti Kattuvalavu, Vanavasi Post
Mettur Taluk,
Salem District-636457

36.Soundyappan

37.Kaliyappan

38.Rajammal

39.K.Baskaran

40.Birundha

41.B.Latha

42.P.Abishek

43.Sagunthala

44.Umarani



45.Ammasai,

46.Lakshmi

..Respondent(s)

Prayer:- Civil Revision Petition filed under Article 227 of the Constitution of India praying to set aside the fair and final order dated 14.10.2025 in IA No.13/2025 in OS No.65/2015 on the file of the I Additional District Court, Erode.

For Petitioner(s): Mr.V.P.K.Gowtham

For Respondent(s): Mr. M.Karthik for R10/Caveator

ORDER

The civil revision petition is filed challenging the order passed by the trial court dismissing the application filed by the petitioner/plaintiff seeking impleadment of respondents 16 to 48 as party defendants in the suit.

2. The petitioner herein, who filed a suit for partition against the respondents 1 to 15, filed instant application seeking impleadment of respondents 16 to 48. In the affidavit filed in support of the petition for impleading, it was stated by the petitioner that respondents 1, 4 to 8, 11, 13, 14, 16, 18, 19, 21, 23, 45 and 46 purchased various properties from various persons. After mentioning all these sale deeds from Paragraph Nos. 1 to 17 in Page No. 72, it was stated by the petitioner that out of income from the joint family



properties and joint family business, the above said properties were purchased in the name of respondents 16 to 48. Therefore, according to the petitioners, those properties shall not be treated as separate properties of the proposed parties. It is also stated that the properties purchased out of joint family income should also be treated as the joint family properties and hence, the respondents 16 to 48 shall be impleaded as party defendants.

3. It is not the case of the respondents that respondents 16 to 48 are members of the joint family. Admittedly, they are all strangers to the family of the petitioner. If properties purchased in the name of third-party stranger, the petitioner is not entitled to plead that stranger purchased the property out of joint family income and hence, the said property acquired the character of joint family property. The learned counsel for the petitioner also submitted that some of the respondents are vendors of the respondents 1 to 15. If the proposed parties are vendors of the respondents 1 to 15, they need not be impleaded for adjudication of the partition suit as they are not family members. The persons, who already sold the property in favour of family members, need not be impleaded for adjudication of the partition suit. Therefore, in the affidavit filed by the petitioner which runs into 74 paragraphs, the petitioner has not stated any clear reason for impleading the proposed parties namely respondents 16 to 48 as party defendants in the suit.



4. In view of the same, I do not find any reason to interfere with the final conclusion reached by the trial court. Accordingly, the civil revision petition stands dismissed. Consequently, the connected miscellaneous petition is closed.

No cost.

16-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

The I Additional District Court, Erode.



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S.SOUNTHAR, J.

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