

Alliema Vs Kavitha

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Court : Chennai

Decided On : Jun-19-2026

Judge : Honourable Mrs.Justice T.V.Thamilselvi

Appeal No. : CRP/1899/2026

Appellant : Alliema

Respondent : Kavitha

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-06-2026

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI and CMP No. 8532 of 2026 Alliema W/o. Abdul Rahim, No.19, Kadarkhan Lane, Udumalpet, Tiruppur District. ..Petitioner(s) Vs

1. Kavitha W/O. Late. Shanmugavel, 532 W/2, Kaliamman Koil Street, A.Kalayamputhur, Palani Taluk, Dindigul District.

2. Minor Arunagiri

S/o.Late Shanmugavel, Rep.by mother and natural guardian Kavitha,
532W/2, Kaliamman Koil St, A.kalayamputhur, Palani Tk, Dindigul Dist.
T.Ramamoorthi (Deceased) Kowsalya (Deceased)

3. Nalini W/o.Late Ramamoorthy,

4. Minor R.Abilesh S/o.Late Ramamoorthy, Rep.by mother and natural
guardian Nalini, Page1 of 6

5. Minor.R.Jothish

S/o.Late Ramamoorthy, Rep.by mother and natural guardian Nalini,
..Respondent(s) Prayer: This petition is filed under Article 227 of the
Constitution of India to set aside the order dated 22.1.2026 passed by
the IV Additional District Court, Udumalpet in IA.No.23/2023 in OS.No.
356/2017 and pass such further or other orders as this Honble Court. For
Petitioner(s): MR.J.Pothiraj For Respondent(s): NO APPEARANCE

ORDER

This petition is filed to set aside the order dated 22.1.2026 passed by the
IV Additional District Court, Udumalpet in IA.No.23/2023 in OS.No. 356
of 2017. 2.The facts of the case is that the defendants/respondents
herein are the owner of the subject property and they have entered into a
sale agreement with the petitioner on 22.12.2012 and a sum of
Rs.5,00,000/- was paid as advance by the petitioner. Thereafter, there
was delay on the part of the defendants to Page2 of 6

execute the sale deed and they sought time, due to which another sale
agreement was executed on 17.11.2015 and a sum of Rs.2,50,000/- was
received by the defendants at the time of execution of the sale
agreement. After execution of second sale agreement dated 17.11.2015,
the defendants failed to execute the sale deed, through the plaintiff and
time and again informed that she is ready and willing to perform her part

of contract by paying the balance sale consideration. Thereafter, a further period of five months was extended to complete the sale and the said extension was endorsed on 16.04.2017 in the sale agreement dated 17.11.2015. However, yet again the execution of sale deed was delayed by the defendants. Hence, the petitioner filed a suit in O.S No.356 of 2017 on the file of the IV Additional District Court, Udumalpet and the defendants failed to appear before Court below, due to which the suit was decreed in favour of the petitioner on 01.03.2021 by fixing a time limit to the plaintiff in the suit to pay the balance sale consideration within two months from the date of Judgment i.e 01.03.2021. The sum and substance of the case is that due to certain genuine reasons, the balance payment was not made within the time fixed by the Court below. Hence, the petitioner filed a Interlocutory Application before the Additional District Judge, Udumalpet seeking extension of time by a month. During the pendency of the said I.A some of the defendants died and therefore the petitioner took out an application to bring the legal heirs of the deceased defendants on record and the same was dismissed on 22.01.2026. Challenging the same the petitioner has filed the present

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3. The learned counsel for the petitioner submits that the petitioner is 20

years old lady and there was some lapse on her part due to lack of communication. He further submits that the petitioner is always ready and willing to perform her part of contract, the tenure for completion of the contract was periodically extended. Hence, she prays to allow this petition.

4. There is no representation for the respondents.

5. Heard the learned counsel for the petitioner and perused the materials available on record.

5. On a perusal of records, it is seen that there was some delay on both

sides and due to lack of communication the petitioner was not able to communicate the defendants to complete the sale agreement and the matter is pending from 2021 i.e for the past 5 years. However, the petitioner is also ready and willing to perform her part of contract.

6. In view of the above facts, the petitioner is directed to deposit the

balance sale consideration in OS.No. 356/2017 on the file of the IV Additional District Court, Udumalpet within a period of four (4) weeks from the date of receipt of a copy of this Order. Page4 of 6

7. With the above directions, this Civil Revision Petition is disposed of. No order as to costs. Consequently the connected miscellaneous petition is closed. 19-06-2026 Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No smn To. The IV Additional District Court, Udumalpet
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T.V.THAMILSELVI, J.

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