

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
CIVIL APPEAL NO. \_\_\_\_\_/2026  
[@ SLP [C] NO.18348/2025]

SIVARAJ SPINNING MILLS PRIVATE LIMITED

Appellant(s)

VERSUS

RANGANAYAKI & ORS.

Respondent(s)

O R D E R

Leave granted.

We have heard the learned counsel appearing for the parties.

The only grievance of the appellant, who is the purchaser, is that the High Court has committed an error in remitting the matter to the Trial Court for fresh consideration especially when evidence had been let in and recorded.

We find force in the submission of the learned counsel appearing for the appellant.

An order of remand cannot be made as a matter of course. Secondly, the High Court was exercising limited jurisdiction under Section 100 of the Code of Civil Procedure, 1908.

In such view of the matter, we modify the impugned judgment passed by the High Court by remitting the matter to the First Appellate Court to decide the appeal afresh, after affording an

opportunity of being heard to all the concerned parties.

The appellant is permitted to file its written submissions before the First Appellate Court raising all its contentions. The respondents are also permitted to file their reply.

We make it clear that in the event the First Appellate Court comes to the conclusion that further evidence is required to be let in, it shall not remit the matter to the Trial Court but shall instead call for findings from it.

The appeal stands allowed, accordingly.

Pending application(s), if any, shall stand disposed of.

.....J.  
[M.M. SUNDRESH]

.....J.  
[NONGMEIKAPAM KOTISWAR SINGH]

NEW DELHI;  
MARCH 10, 2026.



ITEM NO.47

COURT NO.5

SECTION XII

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 18348/2025

[Arising out of impugned final judgment and order dated 10-07-2024 in SA No. 609/2019 passed by the High Court of Judicature at Madras]

SIVARAJ SPINNING MILLS PRIVATE LIMITED Petitioner(s)

VERSUS

RANGANAYAKI & ORS. Respondent(s)

FOR ADMISSION and I.R.

Date : 10-03-2026 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.M. SUNDRESH  
HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) Mr. Sabarish Subramanian, AOR  
Mr. Poornachandiran R, Adv.  
Mr. Vishnu Unnikrishnan, Adv.

For Respondent(s) Mr. G S Mani, Adv.  
Mr. Ashok Kumar Rai, Adv.  
Mr. S Irfan Basha, Adv.  
Ms. Yasmeen, Adv.  
Mr. Ashif Azam, Adv.  
Mr. S.hementh, Adv.  
Mr. R. Sathish, AOR

UPON hearing the counsel the Court made the following  
O R D E R

Leave granted.

The appeal stands allowed in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(ASHA SUNDRIYAL)  
DEPUTY REGISTRAR

(POONAM VAID)  
ASSISTANT REGISTRAR

[Signed order is placed on the file]