

IN THE X ASSISTANT CITY CIVIL COURT AT CHENNAI

Present : Tmt. S. LAKSHMI, M.L.,

X Assistant Judge

Wednesday, the 18th day of February 2026

E.A. No.02/2026 in E.P. No.522/2025 in O.S No.2706/1998

CNR.No.TNCH01-018341-2019

1. A. Muthulakshmi (deceased)
2. A. Ashok
3. A. Babu
4. Indiragandhi
5. A.Asaithambi
6. C. Tamilselvi
7. Santhi

...Petitioners/Proposed DHs 2 to 7

... Vs ...

1. M.R. Munusamy (deceased)
2. Kasthuri Ammal (deceased)
3. Rajammal (deceased)
4. M. Ganapathi (deceased)
5. Baskaran (deceased)
6. J. Kalaimani (deceased)
7. S. Sulochana (deceased)
8. A. Maheswari
9. S. Lalithammal (deceased)
10. S. Ramesh
11. S. Babu
12. S. Muruga
13. S. Madhan
14. S. Latha
15. S. Jayanthi
16. Ammulu
17. Selvi
18. Manjula (deceased)
19. Muniammal
20. Anuradha

21. Babu (deceased)
22. T. Arumugam (deceased)
23. T. Mahendran
24. T. Sathiyaseelan
25. T. Selvaraj
26. T. Ravikumar
27. T. Geethabai
28. T. Vigneshwaran
29. G. Magesh
30. G. Ashok
31. B. Rajesh
32. B. Dharani
33. S. Viji
34. S. Sangeetha
35. S. Vinoth Kumar @ Micheal
36. A. Megala
37. A. Vignesh
38. A. Shakila
39. A. Malini
40. M.R. Jaganthan
41. J. Sasi
42. B. Priya
43. B. Varrun
44. M. Rakkammal ...Respondents 1 to 44/JD Nos.1 to 44
45. G. Rukmani ...45th Respondent/Proposed 45th JD

This petition came on 12.02.2026 before me for final hearing in the presence of M/s.M.Balasubramanian and P.Vennitharan, counsel for the petitioners/Decree Holders, M/s.Balaji Sankara Moorthy, N.Manojkumar, S.Dinakaran and Hemanth Raj.T, counsel for the Respondents/Judgment Debtor Nos.8,10 to 15, 17, 19, 20, 23, 24, 26 to 44, the 45th respondent being called absent and set exparte, as the counsel for respondents failed to file counter as ordered the opportunity given closed, heard petitioner side

argument, upon perusing the records and having stood over for consideration till this day, this court delivered the following:

ORDER

This Petition is filed by the Petitioners/Decree Holders under Section 50 r/w 151 of CPC to implead the 45th respondent namely G.Rukmani as legal heir of deceased 4th Judgment Debtor in the above E.P No.522/2025.

2. Gist of Petition averments : The petitioners are the decree holders in the above execution petition. The above execution petition for recovery of possession of the schedule mentioned premises. In the above E.P. the 4th Judgment Debtor M.Ganapathi was died on 24.10.2019. Thereafter, the petitioners file a L.R. Petition under E.A.No.30/2020 and the same was ordered on 17.03.2020. After that the mother of the deceased 4th Judgment Debtor was impleaded as 44th Judgment Debtor and the two son of the deceased 4th Judgment Debtor was impleaded as 29th and 30th Judgment Debtors. After a long time now 29th and 30th Judgment Debtors counsel filed a memo stating that the wife of the 4th Judgment Debtor namely G.Rukmani is not impleaded and also the name of the 29th and 30th Judgment Debtors are wrongly mentioned as Magesh instead of G.Magesh Kumar and G.Ashok instead of G.Ashok Kumar. Hence, the petitioners have filed the present petition for impleading as well as amendment. Hence, this petition.

3. Now the point arise for consideration is whether this petitioner's prayer to implead the proposed parties can be allowed or not?

4. Point: It could be seen from the facts advanced by the petitioner that he wanted to implead the legal heir of the Judgment Debtor

No.4 and there are no reasonable doubt created over the legal heirs. The reasons stated are very reasonable to entertain this petition the proposed amendment will not change the nature of execution petition. To avoid delay in further and in the fair interest of justice this court inclined to allow this petition. No orders as to cost.

Dictated to the steno-typist, directly computerized by her, corrected and pronounced by me in the open court, this the 18th day of February 2026.

Petitioner side Witness & Exhibits : Nil

X Assistant Judge
City Civil Court, Chennai

Draft/Fair Order
E.A. No.02/2026
in
E.P. No.522/2025
Date : 18.02.2026
X Assistant Court
Chennai