

ORDERS ON IA. II TO IV U/O 22 RULE 4 and 9 CPC and
UNDER SECTION 5 OF LIMITATION ACT

The plaintiffs have filed application U/o 22 rule 4 of C.P.C to bring the LR's of proposed legal representative of deceased Defendant No.3 as supplemental Defendant No.2 (a) to (d).

The IA Notice defendant No.2 LR's is duly served through court Notice. Defendant No.3 (a) to (d) are appeared through their counsel and they have filed their respective objections and denied the entire contents of the plaintiffs made in the affidavit.

The plaintiffs have filed this suit for relief of Partition and separate possession over the suit schedule proprieties. The defendant No 2 reported to be died on 13.04.2018. The plaintiffs have filed this application on 05.09.2018. In the affidavit enclosed to the application it is stated that the proposed LR's of defendant are the only legal heirs of deceased defendant No.2 and they are necessary party to the suit. The defendant No 2 LR's have objected to the application, but they have not denied the relationship between the defendant No.2. And they have admitted that they are the legal heirs of the defendant No 2. Hence, it is necessary to bring on record as parties to the suit. However, in the interest of justice opportunity have to be given to the Lr's of 2nd Defendant (a) to (d) to defend the suit . There was delay to filing of this application, hence it will be compensated on money. Thus, Accordingly, I proceed to pass the following:

ORDER

The interim applications No. V filed by the plaintiffs U/o 22 rule 4 and 9 and section 5 of Limitation Act are allowed Each 50/-.

The Plaintiffs are permitted amend to bring the defendant No 3 LR's (a) to (d) on record.

For amendment and amended plaint by
03-08-2020

**(SHIVAKUMARA.G.J.)
C/c Prl. Civil Judge and JMFC.,
Chinthamani.**