

**IN THE COURT OF THE CIVIL JUDGE AND ADDITIONAL
J.M.F.C., AT TARIKERE.**

Present: Smt. PAVITHRA.M.D, B.A. LL.B.,
Civil Judge & Addl. JMFC. Tarikere.

O.S.No.4/2013

Dated: 12-12-2019

ORDER ON IA.No.5 and 6

The petitioner has filed these applications U/Or.22 Rule 4 R/w Sec.151 of CPC to bring the application schedule persons as LR's of deceased respondent No.6 and 6(e).

2. It is averred in the affidavit annexed to the applications that, the respondent No.6 died on 24.01.2019 and respondent No.6(e) died on 21.04.2019 at Tarikere leaving behind him the application schedule persons as their legal heirs. There are no other legal heirs to the deceased respondent No.6 and 6(e) and the application schedule persons being the LR's of respondent No.6 and 6(e) are necessary parties to the petition. Hence, these applications.

3. In pursuance to the notice served on the application schedule persons they entered their appeared through their counsel and submitted no objection to the application.

4. Heard on IA.No.5 and 6.

5. Perused the applications in the backdrop of materials available on record. The petitioner has filed this petition to direct the respondents to pay mesne profits of ₹8,00,000/- with interest at the rate of 18% p.a. from 30.04.1984 to the

date of suit. That after institution of this petition, the respondent No.6 died on 24.01.2019 and respondent No.6(e) died on 21.04.2019. There is no resistance by the LR's of respondent No.6 and 6(e) to the effect that, they are not a legal heirs of deceased respondent No.6 and 6(e). Further, the application schedule persons being the LR's of deceased respondent No.6 and 6(e) are necessary parties to the present petition for effective adjudication of the matter. Hence, the application filed by the petitioner deserves to be allowed. Accordingly, I proceed to pass the following:

ORDER

IA.No.5 and 6 filed the under Order 22 Rule
4 R/w Sec.151 of C.P.C is hereby allowed.

No order as to cost.

To carry out amendment and amended
petition by 13.01.2020.

Sd/-

**(PAVITHRA.M.D)
CIVIL JUDGE AND
ADDL.J.M.F.C., TARIKERE.**