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**IN THE COURT OF THE PRINCIPAL SENIOR CIVIL JUDGE
AND J.M.F.C AT HUNSUR**

Present: Smt.Anitha, B.A. (Law) L.L.B.,
Prl.Senior Civil Judge & JMFC.,
Hunsur.

Dated this the 21st day of June, 2025.

OS No.56/2021

Plaintiffs:

1. Smt.Jayalakshmi,
W/o Narasimhegowda,
Aged about 48 years,
R/at Gaggenahalli village, Bilikere
Hobli, Hunsur Taluk, Hunsur.
2. Smt.Vijayalakshmi, W/o Govindgowda,
Aged about 55 years, R/at Udduru village,
Kasaba Hobli, Hunsur Taluk, Hunsur.

-Vs-

Defendants:

1. Puttegowda, S/o Late Rangegowda,
Aged about 68 years, R/at House No.1065,
Karigowdara Street, Hunsur Town, Hunsur.
2. Krishnegowda, S/o Late Rangegowda,
Aged about 63 years, R/at House No.1085,
Karigowdara Street, Hunsur Town, Hunsur.
3. Smt.Kamalamma, W/o Late Papegowda,
Aged about 58 years, R/at Siddappaji Road,
Ontepalya Bore, Hunsur Town, Hunsur.

4. Chandregowda, S/o Late Rangegowda,
Aged about 46 years, R/at Near Government
Hospital, H.D.Kotte Town, H.D.Kotte.

1.	Provision under which the application is filed	:	Under Order 22 Rule 4 R/w Section 151 of CPC
2.	Relief sought for	:	To implead the legal heirs of defendant No.1 on record.
3.	The date on which the application is filed	:	20.01.2025
4.	Number of the application	:	IA No.IV
5.	The date on which the objection is filed	:	NIL
6.	The date on which the orders passed on the said application	:	21.06.2025

ORDERS PASSED ON IA NO.IV

The learned counsel for the plaintiffs filed IA No.IV under Order 22 Rule 4 R/w Section 151 of CPC to implead the legal heirs on defendant No.1 on record.

2. The application is supported with the affidavit of the 2nd plaintiff wherein she has stated that, they have filed the suit against the defendants seeking the relief of partition and separate possession of their legitimate share over the suit schedule properties and during the pendency of the suit the 1st defendant was reported dead on 26.10.2024 and the proposed defendants are the legal heirs of 1st defendant. It is further stated that, if the application is allowed no hardship is going to

be caused to the other-side and if the same is not allowed the plaintiffs will be put to great hardship. The proposed legal heirs of the 1st defendant are necessary and proper parties to the suit and their presence is very much necessary for the adjudication of the matter in dispute. Hence, prayed to allow the application.

3. After filing of the application this court issued notice to the proposed legal heirs of the 1st defendant. In pursuance of service of notice they appeared through their counsel but not chosen to file the objection inspite of providing sufficient opportunities and on 12.06.2025 the objection to IA No.IV has been taken as nil.

4. Thereafter, heard arguments addressed by learned counsel for the plaintiffs and perused the entire case papers.

5. The plaintiffs have filed the suit against the defendants seeking the relief of partition and separate possession of their legitimate share over the suit schedule properties. As per the plaintiffs themselves and the defendants are the children of one Rangegowda and Thimamma. The plaintiffs are the sisters of defendants No.1 to 4. During the pendency of the suit the 1st defendant was reported dead on 26.10.2024. As such the plaintiffs brought this application under Order 22 Rule 4 R/w Section 151 of CPC to bring the legal heirs of the 1st defendant on record. The application came

to be filed on 20.01.2025. The application is filed within the period of limitation. The proposed Lrs of the 1st defendant inspite of putting their appearance through counsel not chosen to file the objection and it appears that, they have got no objection to implead them on record. Furthermore, the relief claimed by the plaintiffs is for partition and separate possession and the proposed Lrs of the 1st defendant are very much necessary and proper parties for effectually adjudicating the matter in dispute. Accordingly, this court proceeds to pass the following:

ORDER

IA No.IV filed by the plaintiffs under Order 22 Rule 4 R/w Section 151 of CPC is hereby allowed.

Accordingly, the plaintiffs are permitted to bring on record the proposed Lrs of the 1st defendant as defendants No.1(a) to 1(d).

No order as to costs.

(Dictated to the Stenographer, transcribed and computerized by her on the computer, transcript corrected and pronounced by me in the open court on this the 21st day of June, 2025.)

(Anitha)

Prl.Senior Civil Judge and JMFC.,
Hunsur.