

IN THE COURT OF THE ADDITIONAL DISTRICT JUDGE
KANCHEEPURAM DISTRICT AT CHENGALPATTU

Present: **Thiru.K.Ayyappan, B.Sc., B.L. L.L.M.,**
Additional District Judge,
Chengalpattu.

I.A.No.14/2018 in
O.S.No.45/2011

Wednesday, the 5th day of January 2022

1.Kalpana
2.Aravindan
3.Minor.Suruthi
Minor represented by her
mother Kalpana

..Petitioners/Proposed Plaintiffs
5 to 7

//Versus//

1.J,Manickam
2.K.Ramaswamy
3.D.Bhuvaneswari
4.V.Manjula

..Plaintiffs

Vs.

1.A.Viswanathan
2.A.Boopathy
3.A.Rajagopal
4.G.Amsa
5.S.Thenmozhi
6.P.Selvi
7.R,Meenakshi
8.V.Arul
9.Premkumar
10.G.Dhanapakkiam
11.M.Neela
12.R.Kuppuswamy
13.B.Sathyaraj
14.R.Boopalan
15.J.Madubala

16.B.Dhanasekaran

..Respondents/Defendants

This Petition coming on 9.12.2021 for final hearing before me in the presence of Thiru.V.Vasudevan, learned counsel for the Petitioners/Proposed Plaintiffs 5 to 7 and Thiru.M.B.Venkataperumal, learned counsel for the 2nd and 16th Respondents, and the respondents 1, 3 to 10, and 13 to 15 remained exparte M/s. Latha, learned counsel for the 11th respondent and Thiru.N.Ravi, learned counsel for the 12th Respondent and upon hearing the arguments of both side and after perusing the entire case records and having stood over for consideration till this day, this Court delivered the following:-

ORDER

This Petition has been filed by the Petitioners/Proposed Plaintiffs 5 to 7 under order VI Rule 17 and Section 151 CPC to permit the petitioner to amend the plaint as detailed in the petition.

2. The brief averments in the affidavit filed by the Petitioners/

Proposed plaintiffs 5 to 7 runs as follows:-

Pending suit the husband of the petitioner died. IA No.136/15 filed to implead the legal heirs and the same was allowed. Therefore, this petition is to be allowed.

The Respondents 1, 3 to 10 and 13 to 15 remained exparte.

The 11th and 12th Respondents has no objection.

3. The brief Averments in the Counter filed by the 2nd Respondent/defendant and adopted by the 16th Respondent/defendant runs as follows:-

There is no cause of action for the petition. Hence the petition is to be dismissed.

5. The point for Consideration in the above petition is

Whether this petition is to be allowed or not?

6. On Point:-

Both sides argued their case respectively and both sides no witnesses were examined and no documents were marked.

Heard both sides. Records perused. This Petition has been filed by the Petitioners/Proposed Plaintiffs 5 to 7 to permit the petitioners to amend the plaint as detailed in the petition.

7. To implead the Legal heirs of the deceased, the petition filed in IA No.136/15 and the same was allowed. 2nd Respondent, 11th Respondent, 12th and 16th Respondents endorsed as no objection and hence IA 136/15 is allowed. This amendment petition is only a consequential petition to the petition filed for imploding the legal representatives. Therefore, this consequential amendment petition is allowed without cost.

8. In the result, this petition is allowed. No cost.

Dictated to the Shorthand writer and transcribed and computerized
by her and corrected and pronounced by me in open Court, this the **5th day**
of January 2022.

Sd/-K.Ayyappan,

Additional District & Sessions Judge
Kancheepuram District at Chengalpattu.

Exhibits and Witnesses on both sides : NIL

Sd/-K.Ayyappan,

Additional District & Sessions Judge,
Kancheepuram District at Chengalpattu.

/TRUE COPY/

Draft/Fair Order
I. A. No.14/2018 in
O.S.No.45/2011
Dated: 5.1.2022
ADJ/CPT

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