

**IN THE COURT OF PRINCIPAL DISTRICT JUDGE,  
CHENGALPATTU DISTRICT.**

Present : **Thiru.T.Chandrasekaran, M.L.**,  
Principal District Judge,  
Chengalpattu.

Saturday the 3rd day of January, 2026

**I.A.No.1/2024**  
**in**  
**Probate OP No.143/2023**

R.Jyothi Priya . . . Petitioner / Proposed Respondent.

/Vs/

A.P.Balachandar . . . Respondent / Petitioner.

This petition came up before me for final hearing on 31.10.2025, in the presence of Tmt.K.Sofiya Praveen, Advocate for the petitioner and Thiru.P.Esakki Durai, Advocate for the respondent, upon hearing the arguments of both side counsel, perusing the entire records and having stood over the matter for consideration till this day, this court delivers the following,

**ORDER**

This petition is filed by the petitioner / proposed respondent under Order 1 Rule 10 CPC to implead the petitioner as a respondent in the Original Petition.

**2. The averments set out in the petition filed by the petitioner briefly read as follows :**

The petitioner / proposed respondent is the only legal heir of the deceased Shri Indira Bhat who died on 21.6.2022. The petitioner's

mother was the absolute owner of the property mentioned in the petition schedule of OP and she died intestate and after her death the petitioner inherited the property as legal heir. To the shock and surprise of the petitioner, the respondent herein has prepared a Will on 17.5.2022 and forged the signature of petitioner's mother with the help of his friend Chandru and V.T.Prathaban as it was signed by petitioner's mother. During the relevant period of Will, the petitioner's mother was admitted in Akash Hospital, Chromepet for Hernia operation from 14.5.2022 to 27.5.2022. The respondent with a malafide intention immediately after the death of her mother taken away all the original documents pertaining to the property and all the records relating to Trust maintained by petitioner's mother. As such, the petitioner preferred criminal complaint against the respondent and his friend Chandru and the same is under investigation. The respondent with the help of Chandru manipulated several documents and they have money and muscle, power to do the illegal activities. The petitioner came to know about the said OP filed before this court in a month of September 2024 and hence, she is filing this petition to implead her as a party to the proceedings. Hence, the petition.

**3. The averments set out in the counter filed by the respondent briefly read as follows :**

The petition is baseless, frivolous and vexatious and not based on any sound principles of law or on facts. There is no cause of action for

filing the petition. The petitioner suppressed material facts. The petitioner is the adopted daughter of the deceased Indira Bhat vide deed of adoption dated 8.2.2006 vide document No.212/2006. The said Indira Bhat died on 21.6.2022 leaving the Will dated 17.5.2022 in favour of the respondent herein. While the OP for probate is pending before this court, the petitioner appeared before this court on 24.9.2024 by filing vakalat through a counsel and filed the present petition to implead herself in the main petition. While so, the petitioner had given a false complaint before the Inspector of Police, Guduvancherry Police Station as though all the documents pertaining to 'C' schedule of the above OP were missing ***"at Guduvanchery Bus Stop xerox shop on 21.1.2023 and the investigation made on the complaint had revealed that the above said originals have actually been lost. Also certified that despite all best and bonafide efforts made to trace out the lost originals mentioned above, the same could not be traced out"*** and obtained missing certificate dated 22.3.2023 from the Inspector of Police, Guduvanchery Police Station, when all the original documents are with the respondent.

3(ii) Thereafter the petitioner along with her husband had cancelled the power of attorney deed dated 3.3.2020 vide document No.3348/2020 executed by the said Indira Bhat in favour of the respondent through cancellation deed dated 28.10.2024 vide document No.15374/2024. On the same day the petitioner had executed a settlement deed dated 28.10.2024

vide document No.15400/2024 in favour of her husband R.Rajesh who subsequently sold the said property under sale deed dated 28.10.2024 vide document No.15426/2024 in favour of B.Dilip Kumar. All the said deeds were done on the same day by colluding with the Sub-Registrar, Chengalpattu. The petitioner fraudulently and with malicious intention had given a false complaint and obtained an impugned missing certificate and made three fraudulent transactions on the same day which are null and void and does not have any legal validity in the eye of law.

3(iii) The affidavit filed by the petitioner contradicts her complaint filed before the Inspector of Police, Guduvanchery. This itself would show that the petitioner has not come up with clean hands before this court. The petitioner had sold the 'C' schedule property in the OP, after her appearance before this court. This would show that the petitioner is not a law-abiding citizen and trying to play fraud upon the court. The petitioner is not the daughter of the deceased Indira Bhat, either by biological or by adoption. The petitioner has not claimed herself as adopted daughter or biological daughter. The adoption deed said to have been executed on 8.2.2006 in document No.212/2006 contains lot of irregularities and misrepresentation of facts and fabricated one and does not have any legal sanctity. She suppressed the existence of such adoption deed in her affidavit. The respondent had taken steps to cancel the legal heir certificate in certificate No.TN - 7202207151710 dated 23.9.2023 before the DRO,

Chengalpattu. Hence, prayed for dismissal of petition with exemplary cost.

**4. The point that arises for consideration is :**

Whether the petitioner / proposed party has to be impleaded as respondent in the Probate OP petition No.143/2023?

**5. On point :**

Heard both sides. Perused the records. The probate OP is filed to probate the Will dated 17.5.2022 executed by one Indira Bhat in favour of the respondent herein. Now the petitioner herein represents herself as daughter of the said Indira Bhat and the alleged Will is said to have been forged by the respondent herein.

6. The respondent alleges that the petitioner is the adopted daughter of Indira Bhat and when all the original documents pertaining to petition mentioned 'C' schedule property are with the respondent, the petitioner has given a false complaint before the Guduvanchery Police Station and obtained the copies of documents which are in custody of the respondent herein and based on the said copies she made transactions in respect of 'C' schedule property on the same day by way of three deeds colluding with the Sub Registrar, Chengalpattu. As there are contra allegations in respect of the alleged Will and as there is a serious dispute between the petitioner and the respondent herein, it is necessary to hear both of them in the main petition. Hence, the petitioner / proposed party has

to be impleaded as respondent in the main petition to arrive at a proper adjudication in the matter. The proceedings cannot go behind her back and she is the necessary party to the OP. The balance of convenience lies in her favour only.

7. **In the result, the petition in I.A.No.1/2024 is allowed. No costs.**

Typed to my dictation, corrected and pronounced by me in open court, on this the 3rd day of January, 2026.

Principal District Judge,  
Chengalpattu.

Both side witness and exhibit :  
Nil.

Principal District Judge,  
Chengalpattu.