

**IN THE COURT OF THE DISTRICT MUNSIF AT MADURANTAKAM**

**PRESENT:** Tmt.R.Mahalakshmi., B.A., B.,L.,

District Munsif, Madurantakam

**Wednesday, the 2<sup>nd</sup> day of July, 2025**

**I.A.No.11/2024**

**in**

**O.S.No.63/2011**

Thiyagarajan

...Petitioner/Plaintiff

**-vs-**

1. Lakshmi Ammal (died)  
2. Kanni Ammal  
3. Mani  
4. Rani (died)  
5. Neelakandan  
6. Sarala  
7. Malini  
8. Vishwa  
9. Minor Shalini  
by mother and natural guardian Sarala

...Respondents/Defendants  
1 to 5/Proposed Defendants 6 to 9

This petition coming up before me on 21.06.2025 for final hearing in the presence of, Tmt.Aruna Munuswamy, counsel for Petitioner/Plaintiff and M/s.S.Selvanandam, D.Hariprasad, A.Rexy Pricilla, counsels for 6<sup>th</sup> Respondent/6<sup>th</sup> Defendant having been already set exparte in main suit and 1<sup>st</sup> Respondent, 4<sup>th</sup> Respondent, 5<sup>th</sup> Respondent were died and after hearing the arguments on both sides and upon perusing the materials placed on record, and having stood over for consideration till this day, this court delivers the following,

**ORDER**

The Petitioner/Plaintiff had filed this petition to implead the 6 to 9

Respondents/proposed Defendants as the legal representatives of the deceased 5<sup>th</sup> Respondent/Defendant.

**2.The averments stated in the petition, in brief :**

(i). The petitioner herein is the Plaintiff in the suit. He filed the suit for permanent injunction. The petitioner states that the 5<sup>th</sup> Defendant, Neelakandan died on 08.06.2024 leaving behind 6 to 9 respondents as his legal heirs to succeed his estates. Therefore the legal heirs of the 5<sup>th</sup> Defendant are necessary to impleaded as 6 to 9 Respondents/Proposed 6 to 9 Defendants in this suit. Hence this petition.

**3. The averments stated in the counter filed by the 6<sup>th</sup> Respondent/Proposed 6<sup>th</sup> Defendant and adopted other proposed Defendants, in brief:**

(i). This petition is not maintainable in law and on facts. The Respondent denies the entire allegations in the affidavit petition as false except those that are specifically admitted herein. The averments in the affidavit are false. The 6<sup>th</sup> Respondent states that the affidavit filed by the petitioner to bring him on record as the legal heirs of the deceased Neelakandan. There is no merits in this petition. Hence this petition is liable to be dismissed with costs.

**4. The point for determination is whether this petition is to be allowed or not?**

5. No Exhibits marked and no witnesses were examined on both sides.

6. Heard both sides and perused the records.

7. The Petitioner/Plaintiff had filed the suit for permanent injunction. The 5<sup>th</sup> Defendant died on 08.06.2024. Therefore the legal heirs of the 5<sup>th</sup> Defendant are necessary to impleaded as 6 to 9 Respondents/Proposed 6 to 9 Defendants in this suit. Therefore considering the reason adduced by the Petitioner/Plaintiff this court in order to provide an opportunity for the petitioner to proceed the case decides to allow this petition, in the interest of justice.

**4. In the result, this petition is allowed. No costs.**

Dictated to the Stenographer typed by him and corrected and pronounced by me in open court on this the 2<sup>nd</sup> day of July, 2024.

Sd/-R.Mahalakshmi  
District Munsif  
Madurantakam

**Petitioners side witnesses and documents:**

**Nil**

**Respondent side witnesses and documents:**

**Nil**

Sd/-R.Mahalakshmi  
District Munsif  
Madurantakam