IN THE COURT OF THE II ADDITIONAL DISTRICT MUNSIF, NAGERCOIL.

Present : Tmt. M.Alima, B.A., L.L.M.,

II Additional District Munsif, Nagercoil.(FAC)

Thursday, on this the 6th day of February, 2025

I.A. No.6/2025
in
O.S.No.208 of 2007

T. Sudalaiyandi Pillai ... Petitioner/Plaintiff

-Vs-

1. S. Krishnapillai

2. K. Thanupillai

3. O. Iyyappan
4. S. Rajagopal
5. A. Chellappan
6. Arulmigu Kulasekara Nangai
   Kulasekarapuram Oor Vellalar
   Community Administrative Trust Rep. by the
   Principal Trustee, C. Kolappapillai.
7. M. Chithambaram Pillai
8. L. Veerapathira Pillai
9. O. Sudalaiyandi
10. V. Sivaraman

Addl. 11. Dr. K. Arumugaperumal

Addl. 12. M. Subramaniyan

Addl. 13. B. Somasundar

Addl. 14. Mailerum Perumal

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Addl. 15. S. Iyyappan

(Additional defendants 11 to 15
are impleaded as per Order in
I.A. No.5 of 2024, dated 08.01.2025).

.....Respondents/Defendants

This Petition having come before me on 04.02.2025 for hearing in the presence of Mr. T.K.S. Maniam, Learned Counsel for the Petitioner / Plaintiff and in the Presence of Mr. Eswarapillai, Learned Counsel for the 1 to 3 Respondents, endorsed 'no instruction' hence R1 to R3 called absent, set exparte and in the Presence of Mr.K. Subhakaravel, Learned Counsel for the 4 to 15 Respondents and upon hearing both sides and upon perusing the case records and having stood over for consideration, till this day, this Court delivers the following:

ORDER

The petitioner had filed the above petition under Order VI Rule 17 and Section 151 of the Code of Civil Procedure, seeking to pass an order to amend the plaint in the interest of justice.

2) *Gist of Averments in the Petitioner Petition:*

The petitioner is the Plaintiff in the above case. The petitioner respectfully submitted, the petitioner filed a petition in I.A.No.5 of 2024 to implead newly selected administrators of Arulmigu Kulasekarapuram Nangai Amman Koil as additional defendants in the above suit. The said I.A.No.5 of 2024 was allowed

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by this court on 08.01.2025. In view of the order passed by this court the additional defendants have to be impleaded in the suit as such the plaint has to be amended in the interest of justice. The petitioner respectfully submitted, a separate consequential amendment petition is filed along with this affidavit. Hence, this petition is to be allowed.

3) Gist of the Averment in the 4th to 15th Respondents Counter Memo:

The 4 to 15 Respondents have filed a counter memo stating that the above petition is allowed.

4) The point for consideration is whether the above petition has to be allowed or not?

5) Heard both sides. On perusal of records, the previous impleading petition filed by this petitioner/plaintiff to implead the 11th to 15th defendants has been allowed by this Court as per order in I.A.No.5/2024 dated 08.01.2025. Therefore, this court opined that nothing would be prejudiced against the respondents if this petition was allowed. Considering the said fact, this Court is inclined to allow this petition.

In the result, this petition is allowed, without cost.

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Dictated to the steno-typist, typed by her in the Computer directly, printed, corrected and pronounced by me in open court this the 06th day of February, 2025.

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II Additional District Munsif (FAC),
Nagercoil.

List of witness and documents for Petitioner side : Nil

List of witness and documents for Respondents side : Nil

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II Additional District Munsif (FAC),
Nagercoil.

II A*DM, Nagercoil.*
Draft/Fair common Order
I.A.No. 6/2025 in
O.S.No.208/2007
Date: 06.02.2025.