

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

Present : Selvi. V. Sivaranjani, B.A., L.L.B.,

II Additional District Munsif, Nagercoil

Friday, on the 17th day of October, 2025.

I.A.No.6 of 2025 in O.S. No.252 of 2021

CNR No.TNKK04-000323-2021

1. Perumal Swamy Temple rep. by its

Family Member Rajabaranthaman

2. Paramathma

... Petitioners / Plaintiffs

-Vs-

1. Thangaswamy

2. Senthamarai

3. Latha

4. Radhakrishnan

5. Janantha

... Respondents / Defendants /

Proposed parties

This petition came up before this court on 16.10.2025 for a final hearing in the presence of Mr. C. Ashok Kumar, Learned Counsel for the Petitioners / Plaintiffs and Mr. Mathias, Learned Counsel for the 1st respondent, endorsed “No counter” and 2nd to 5th respondents were set exparte and upon hearing petitioners sides, perusing the case records, and having stood over for consideration till this day, this court hereby delivers the following:

ORDER

The Petitioners have filed under Order XXII Rule 4 and Section 151 of the Code of Civil Procedure, seeking to implead the respondents 2 to 5 as additional defendants 3 to 6 in the suit.

2. Gist of Averments in the Petitioner Petition :

The Petitioner is the family member of the plaintiffs and defendants and petitioner was representing for the 1st plaintiff and petitioner was conversant with the facts and circumstances of the case. The petitioner was filing this affidavit for 1st petitioner, for petitioner and on behalf of the 2nd petitioner. The petitioners have filed suit inter alia for declaration, permanent injunction and framing of scheme in respect of the 1st plaintiff's family temple. Now the case is posted on 02.04.2025 and petitioners have got knowledge that the 2nd defendant died on 03.02.2025 and his legal heirs are his sons and daughters are proper and necessary parties in the suit. It is therefore pre-eminently just and necessary that this court to implead the legal heirs of the 2nd defendant as additional defendants 3 to 6 in the suit. Hence, the petition is to be allowed.

3. The 1st respondent counsel endorsed "No counter" and 2nd to 5th respondents were set ex parte in this petition.

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

5. Point:

Heard both sides. Records perused. The petitioner herein is the family member of the plaintiffs and defendants and representing the 1st plaintiff temple in the suit filed for declaration and permanent injunction. When the case is posted on 02.04.2025, the petitioner have got knowledge that the 2nd defendant died on 03.02.2025 and his legal heirs are his sons and daughters 1) Senthamarai, 2) Latha, 3) Radhakrishnan, 4) Janantha who are all proper and necessary parties in the suit. Hence, in the interest of justice, this court is inclined to allow this petition.

As a result, This petition is allowed, No cost.

Dictated to the steno-typist, typed by her in the Computer directly, printed, corrected and pronounced by me in open court this the 17th day of October, 2025.

II Additional District Munsif
Nagercoil.

List of witness and documents for Petitioners side : Nil

List of witness and documents for Respondents side : Nil

II Additional District Munsif
Nagercoil.

*II ADM, Nagercoil.
Draft/Fair Order
I.A.No.6/2025 in
O.S.No.252/2021
Date: 17.10.2025.*