

IA No.13/2024 in OS No.43/2020

Dated 12.11.2024

Order pronounced in open court. The case of the petitioners are that they filed the suit seeking the relief of declaration, partition in respect of the suit property and during the pendency of the suit , the 5th defendant died leaving her legalheirs namely one Balusamy and Banumathi. Further, the petitioners are stated that alleged Balusamy also died leaving his daughters and wife who are the proposed parties herein. Hence, this is petition is filed to implead the proposed parties as 18 to 20th defendants in the suit. The counsel for R2, R5, R6, R10 to R12 made an endorsement as no counter. Due to the non filing of the counter statement, exparte order was against R14 to R17 on 05.11.2024. The other respondents are remained exparte. None of the objection was raised by the respondents in this regard. Considering the relief of declaration, partition as claimed by the plaintiff in this suit, the proposed parties are proper and necessary party to decide the issue involved in this case. Hence, this court inclined to allowed this petitoin, in the interest of justice.

In the result, this petition is allowed, no cost.

Sd/M.Praveena
District Munsif (FAC),
Sendamangalam.