

**IN THE COURT OF THE I ADDITIONAL DISTRICT JUDGE
RANIPET, RANIPET DISTRICT.**

**Present: Thiru.A.BALAKRISHNAN, B.B.A., L.L.B.,
I Additional District Judge,
Ranipet.**

Monday, this the 27th day of October 2025

**I.A.No.1/2025
in
O.S.No.191/2024**

Thulasibai

..... Petitioner/Plaintiff.

-Vs-

1. Gajendran (died)

2. Ravi

3. Gunasekaran

4. Perumal

.....Respondents/Defendants.

5. Ezumalai @ Arunagiri

6. Moorthy Ayyappan

7. Parthiban @ Yogaraj

.....Respondents/Proposed parties.

This petition is coming before me for final hearing on 25.10.2025 in the presence of Thiru.K.Solmuthu Azhagan, Advocate for Petitioner and Thiru.S.Kumar Shankar, Advocate for the 3rd respondent and the respondents 2, 4 & 5 to 7 are remained set exparte and the 1st respondent was died and upon hearing the arguments of both side and on perusal of all connected material records and having stood over for consideration till this date, this court passed the following;-

ORDER

The petitioner/plaintiff has filed the application U/o 22 rule 9 of CPC., seeking an order to set aside the abatement in filing the application to implead the legal heirs of deceased 1st defendant.

1. The plaintiff has filed an affidavit stating that the 1st defendant died during the pendency of the suit on 08.02.2025 leaving the proposed parties as his legal heirs and the plaintiff could not take steps to implead them in the suit in time as she had no knowledge about the death of the 1st defendant. The defendants 2 & 4 remained exparte in the suit. The legal heirs of deceased 1st defendant did not appear in the present application and hence they were set exparte. The 3rd defendant alone has filed a counter in this application objecting to allow the application. The 3rd defendant did not raise any serious objection in allowing this application. The plaintiff has filed the above suit for the relief of declaration of title, recovery of possession and also for permanent injunction in respect of the suit properties. Considering the nature of the suit and on considering the reason given in the affidavit, this court is of the view that the application can be allowed and no prejudice will be caused to the 3rd defendant.

In the result, the application is allowed. No cost.

Dictated by me to the steno-typist, transcribed and typed by her in the computer, corrected and pronounced by me in the open court, on this the 27th day of October 2025.

I Additional District Judge,
Ranipet.