

**IN THE COURT OF THE DISTRICT MUNSIF, TIRUTTANI**

**Present : Tmt. R.D. Gurulakshmi, M.A., M.L., P.G.D.I & C.L.,  
District Munsif, Tiruttani.**

Dated the Tuesday of 29<sup>th</sup> Day of April 2025  
I.A.No.4/2025 in OS.No.10/2021  
(CNR.No.TNTR21-000014-2021)

Adimoolam

...

... Petitioner/Plaintiff

/Versus/

1. Annamalai (died)
2. Murugesan
3. Dhakshnamoorthi
4. Murugesan
5. Hemadri
6. Vijaya
7. Selvi
8. Laksmi
9. Jayavel
10. Amudha
11. Manikandan
12. Angammal
13. Vasu
14. Padma
15. Bhavani
16. Sathish
17. Jayanthi
18. Dinesh
19. Bavani
20. Valliammal
21. Adhi Lakshmi
22. Nagabushnamma
23. Devakiammal
24. Amutha
25. Murugesan
26. Anusuya
27. Mala

... 1 to 22 Respondents/ 1 to 22 Defendants

... 8 to 12 Respondents/ 8 to 12 Proposed defendants

This petition came up before me for the final hearing on 08.04.2025 in the presence of M/s. V. Kishore Reddy, E. Vijayakumar, A. Akila, R. Indu Prabha, Advocate for Petitioner/Plaintiff, R1 died, M/s. G.Kamala Kannan, Advocate for 2 to

5, 23 to 27 Respondents/2 to 5, 23 to 27 defendants, R6 to R22 exparty in suit. Upon hearing both sides and having stood over for consideration till this day, this court delivered the following:

### **ORDER**

The petition is filed by the petitioner under Order 22 Rule 4 of CPC to implead the legalheirs of deceased 1<sup>st</sup> respondent.

1. **Petition averments in brief:-**

The petitioner filed this suit against the defendants for permanent injunction in respect of the suit property. While the suit is pending the 1<sup>st</sup> defendant was died on 09.01.2025 leaving behind his wife and children as his legalheirs. The legal heirs of the 1<sup>st</sup> defendant are to be impleaded in this suit as 23 to 27 defendants for proper adjudication. Therefore the petitioner filed this petition.

2. **Counter filed on behalf of the respondents in brief:-**

The petition is not maintainable either in law or on facts. The affidavit averments made in para 2 is partially true and the petitioner giving trouble some activities to the respondent No.1 for that reasons only the respondent No.1 was died. Due to the pinprick given by the petitioner and given unwarranted troubles. The action of the petitioner is unlawful and illegal. While the respondent No.1 was alive the petitioner given so many police complaints against the respondent No.1. For the said reasons only the respondent No.1 was died. This fact is suppressed by the petitioner in this case. Hence the petition has to be dismissed with costs.

4. **Point for determination:-**

Whether the petitioner is e entitled to the relief as prayed for? or not?

5. Heard both side. According to the petitioner, while the suit is pending the 1<sup>st</sup> defendant was died on 09.01.2025 leaving behind his wife and children as his legalheirs. The legal heirs of the 1<sup>st</sup> defendant are to be impleaded in this suit as 8 to 12 defendants for proper adjudication. Therefore petitioner prays to allow the petition. Respondents resisted the petition by contending that the petitioner giving trouble some activities to the 1<sup>st</sup> respondent. While the 1<sup>st</sup> respondent was alive the

petitioner given so many police complaints against the 1<sup>st</sup> respondent. This fact is suppressed by the petitioner in this case. Hence the respondents pray to dismiss the petition.

6. This petition filed to implead the legalheirs of deceased 1<sup>st</sup> Respondent. This Court is of view that the proposed parties are the proper and necessaries parties to the suit and they have to be impleaded for proper adjudication of the case. Hence, in the interest of justice, to prevent multiplicity of proceedings, to provide petitioner an opportunity to prove his case and for proper adjudication of the case this petition has to be allowed.

In the result, this petition allowed. No cost.

Dictated to my Steno – Typist, typed by her directly in computer, corrected and pronounced by me in open court, this the 29<sup>th</sup> day of April 2025.

District Munsif,  
Tiruttani.

Petitioners & Respondents side Exhibits and Witnesses :- Nil

District Munsif,  
Tiruttani.