

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 Wednesday of 8th Day of January 2025

I.A.No.1/2022 in I.A.No.2/2021 in OS.No.46/2017

(CNR.No.TNTR21-000051-2017)

K. Jayabalan

...

... Petitioner/Plaintiff

/Versus/

1. Krishnan

2. Sundarammal

3. Krishnamurthy (died)

4. The joint Commissioner, Arulmigh

Subraaniasamy Tirukkoil, Tiruttani

... 1 to 4 Respondents/ 1 to 4 Defendants

5. K. Jothi

6. K. Kaviarasu

7. K. Anbu(died)

8. Jayanthi

9. Minor Neena

10. Minor Karan

(9, 10 defendats Rep. By their mother 8th respondent) ... Respondents/

5 to 10 Proposed defendants

This petition came up before me for the final hearing on 21.12.2025 in the presence of M/s. P.S. Shanmugham, Advocate for Petitioners/Plaintiff, 3,7 Repondents were died, M/s. V.Kishore Reddy, A. Akila, Advocate for 1,2,5,6 Respondents, 1,2,5,6 Respondents endorsed as no counter, 3, 7 Respondents were died, M/s. R. Indu praba, B. Janani, Advocates for 4th Respondent and counter not filed hence 4th respondent was set exparty. 8th Respondents exparty in suit. M/s. E. Shamu, Advocate for 9, 10 Respondents. 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 7th respondent.

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

The petitioner filed petition to implead the respondents. While the implead petition in IA.No.1/2021 is pending 7th Respondent Anbu died on 10.04.2022 leaving behind his wife, his minor daughter and his minor as sole legal heirs to succeed to the estate of the deceased 7th Respondent/ proposed defendant. Hence they have to be impleaded as Respondents No.8, 9,10 in the above petition for proper adjudication. Therefore the petitioner filed this petition.

2. **Counter filed on behalf of the 9,10 respondents in brief:-**

This Respondents/ Defendants are minors and they does not aware on the facts stated in the case and by whom the plaint filed and for what relief it is filed. So totally these respondents/ defendants are not aware on the facts and nature of this suit. These Respondents/ defendants are the legal heirs of the deceased 7th Respondent Anbu, who is the father of the both minor children. These Respondents/ defendants are always read to obey and respect the directions of this court. Hence court may be pleased to pass necessary order.

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, the 7th Respondent/ proposed defendant Anbu died on 10.04.2022 leaving behind his wife, his minor daughter and his minor son as sole legal heirs to succeed to the estate. Hence they have to be impleaded as Respondents No.8, 9,10 in the above petition for proper adjudication. Therefore petitioners pray to allow the petition. Respondents resisted the petition by contending that these respondents/ defendants are not aware on the facts and nature of this suit. These Respondents/ defendants are the legal heirs of the deceased 7th Respondent Anbu, who is the father of the both minor children. These Respondents/ defendants are always read to obey and respect the directions of this court.

6. This petition filed to implead the legalheirs of deceased 7th defendant/ defendant. No serious objection on the side of respondents. 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 8th day of January 2025.

Sd/- R.D. Gurulakshmi
08.01.2025
District Munsif,
Tiruttani.

Petitioners & Respondents side Exhibits and Witnesses :- Nil

Sd/- R.D. Gurulakshmi
08.01.2025
District Munsif,
Tiruttani.