

**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 24<sup>th</sup> Day of March 2026

I.A.No.9/2026 in OS.No.58/2014

(CNR No.TNTR21-000056-2014)

...

1. R. Jayarama Raju
2. M. Subramaniam Raju (died)
3. M. Subramanyam Raju (died) ... 1 to 3 Petitioners/ 1 to 3 Plaintiffs
4. K. Subramaniam Raju
5. M. Dhananjeya Raju
6. R. Madhusudhan  
Rep for Sri Rama Bazanai Koil  
at Beerakuppam village ... 4 to 6 Petitioners/ Proposed P4 to P6

6

/Versus/

- G. Subramaniya Raju ... Respondents/Defendant

This petition came up before me for the final hearing 12.03.2026 in the presence of M/s. V. Kishore Reddy, E. Vijayakumar, A. Akila, R. Revathi, Advocates for Petitioners/Plaintiffs, P2, P3 were died, M/s. V. Venkatesan, N. Balaji, P. Pichaimani, Advocates for Respondent/Defendant. Upon hearing both side and having stood over for consideration till this day, this court delivered the following:

**ORDER**

Petition is filed under order 1 Rule 10 of CPC to implead the proposed parties 4 to 6 as 4 to 6 plaintiff in the suit.

**2. Petition averments in brief are as follows:-**

(a) While the suit is pending, the 2<sup>nd</sup> plaintiff died on 12.05.2025. Since the 1<sup>st</sup> plaintiff is aged person and unable to move from his house. The petitioners have appointed in the place of 2 and 3 plaintiffs as representatives of Sri Rama Bazanai Koil, Beerakuppam village, Tiruttani Taluk. Hence the 4 to 6 petitioners have to be added as 4 to 6 plaintiffs in the above suit for proper adjudication. Hence this petition.

**2. The counter filed on behalf of the Respondent in brief:-**

The petition is not maintainable either in law or on facts of the case. The suit is

filed by the 1 to 3 plaintiffs before this court in a representative capacity in which the petitioner filed Order 1 Rule 8 was allowed. While the suit is pending 3<sup>rd</sup> plaintiff died, in IA.No.1/2024 where the 2<sup>nd</sup> plaintiff represented that since the suit is filed on representative capacity for the public interest there is no necessity to implead the legalheirs of the deceased 3<sup>rd</sup> plaintiff and the same was allowed. Now the petition filed by the 4 to 6 proposed plaintiffs/petitioners is not maintainable and the same was wrongly numbered. The petitioners did not come forward with clean hands without the representative capacity. Hence this petition is to be dismissed. As such the 3<sup>rd</sup> plaintiff death was recorded and the amended plaint also accepted by this court. The prayer of to strike out the 2<sup>nd</sup> and 3<sup>rd</sup> plaintiff in the above suit is not maintainable. There is no bonafide merits in this petition. Hence this petition has to be dismissed with cost.

3. **Point for determination:**

Whether the petitioners are entitled to the relief as sought for? or not?

4. **Point:**

Heard both side. According to petitioner, while the suit is pending the 2<sup>nd</sup> and 3<sup>rd</sup> plaintiffs died and 1<sup>st</sup> plaintiff is aged person and unable to move from his house. Hence the 4 to 6 petitioners have to be added as 4 to 6 plaintiffs in the above suit for proper adjudication. Hence the counsel for petitioners prays to allow this petition. The respondent resisted the petition by contending that there is no merits in this petition. The petitioners did not come forward with clean hands, without getting permission to conduct the case as representative capacity the petitioners are not entitled to add as a parties. Hence the counsel for respondents prays to dismiss this petition.

6. On perusal of records, the suit is pending for defendants side evidence. Petitioners contended that the 2<sup>nd</sup> plaintiff was died on 12.05.2025. Already 3<sup>rd</sup> plaintiff was died. In this circumstances 4 to 6 petitioners have to be added as 4 to 6 plaintiffs in the above suit for proper adjudication. This suit is filed in the year 2014 and pending for more than 12 years. Considering the fact and circumstances of this

case, this Court is of view that the proposed parties are the proper and necessary 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 and for proper adjudication of the case, this petition has to be allowed.

In the result the petition is allowed. No costs.

Dictated to my Steno – Typist, typed by her directly in computer, corrected and pronounced by me in open court, this the 24<sup>th</sup> day of March 2026.

District Munsif,  
Tiruttani.

Petitioners & Respondents side Exhibits and witnesses:- NIL

District Munsif,  
Tiruttani.