

**IN THE COURT OF DISTRICT MUNSIF, KATPADI, VELLORE DISTRICT
PRESENT: THIRU. K.VENKATESAN, B.A., B.L.,
DISTRICT MUNSIF, KATPADI.**

Wednesday, this the 28th Day of August – 2024

**I.A.No. 06 of 2024
In
O.S.No. 265 of 2009
(CNR.No.TNVL23-000090-2009)**

1. Sagayamary
2. Simon
3. Mary Josephine
4. Ashirwadh

.....Petitioners/Plaintiffs

-Vs-

1. Francis (Died)
2. Arulappan
3. Subramani (Died)
4. Gajammal
5. Sujatha
6. Santhi
7. Pramela
8. Gunasekar

...Respondents/Defendants

9. Japamala

...Respondent/Proposed party/
Legal Representative of the deceased 1st defendant

This petition is coming before me for final hearing today, in the presence of Thiru.R.Kalaichelvan, the Counsel for the Petitioners and Thiru.K.R.Ravi, the Counsel for the Respondents-4th to 8th and the Counsel for the Respondents- 2 & 9 and made endorsement as 'no counter'. Upon perusing the entire case records and having stood before this court for consideration till this date, this court delivers the following:

ORDER

This petition has been filed by the petitioners/plaintiffs under Order 22 Rule 4 of CPC and Section 151 of Limitation Act to implead the proposed party in the above suit as 9th defendant as Legal Representative of the deceased 1st defendant.

Records perused. This petition has been filed to implead the LR's of deceased 1st defendant. In counter, the defendants have not objected the factum of death and the relationship between the deceased and the proposed party. Considering the relief sought in the suit, the proposed party is necessary to determine the issues involved in the suit. It is apparent from documents, that this petition has been filed belatedly and this court considers that this can be compensated by imposing cost on the petitioners. In the result, this petition is allowed on payment of cost of Rs.1,000/- payable to the defendants on (or) before 4.9.2024 if failing which this petition order shall stand dismissed without any further reference of this court. For compliance. Call on 11.9.2024.

Pronounced by me in the open court, this the 28th day of August
2024.

(Sd/-).. K.Venkatesan
DISTRICT MUNSIF
KATPADI