

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.12.2016

Coram

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

Application Nos.6480 & 6481 of 2016
in TOS No.11 of 1996

1 Muthu Reddiar (Deceased)

2 S.Thilakavathy

3 Sudakar

...Plaintiffs in both the petitions

Plaintiffs 2 & 3 impleaded as LR's of the
deceased plaintiff as per order
dated 01.12.2006 in A.No.4696/06

Vs

1 Venkata Subha Reddi (Deceased)

2 Usha

3 Ramachandran

4 Kasthuri

5 Vatsala (Deceased)

6 M.Manjula

7 K.Sivaraman

8 K.Dhnajeyan

...Respondents in both the petitions

Nos.2 & 6 impleaded as parties/defendants 2 to 6 as per order
dated 02.03.10 made in Appln. Nos.2455/02 & 5336/2001 in
Tos.11/96. Amendment carried out as per order dated 26.11.2002
made in Appln.4708/02 dated 09.12.2002

Nos. 7 & 8 are impleaded as LR's of deceased 5th defendant
as per order dated 01.02.06 in A.No.815/06

Prayer in A.6480/16: Application filed under Order XIV Rule 8 of the
O.S.Rules 1956 r/w Order VI Rules 17 CPC seeking for grant of leave to the
applicants/plaintiffs to amend the petition TOS 11/1996 as per particulars
setout herein.

N.SATHISH KUMAR.J.,

jv

Prayer in A.6481/16: Application filed under Order XIV Rule 8 of O.S.Rules and Order XVIII Rule 16 of OS Rules, 1956 r/w Sections 152, 153 of CPC seeking for amendment of judgment and decree dated 17.03.2016 in TOS.11/96 as per particulars set out herein.

For Plaintiffs : Mr.V.Prabhu
for Mr.P.Veeraraghavan
For Respondents : No Appearance

COMMON ORDER

Heard Mr.V.Prabhu, learned counsel appearing for the PlaintiffS. No representation for the Defendants either in person or through counsel.

2. The applications are filed for grant of leave to the applicants/plaintiffs to amend the petition in TOS.11/96 and amendment of judgment and decree dated 17.03.2016 in TOS.11/96 respectively.

3. On a perusal of the these applications reveals that respondents 2 and 6 have been served, and Respondents 3, 4, 7 and 8 are given up. Since, sole plaintiff died during the pendency of the suit, amendment has to be carried out. Since, no prejudice to other side would be caused by allowing these applications. Hence, these applications are allowed.

07.12.2016

jv

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