

A.No.540 of 2021
in C.S.No.658 of 2012

N.SESHASAYEE, J.,

The suit was laid against a dead person for declaration of title and for recovery of possession. When the mistake was brought to the notice of the plaintiff, he earlier laid Application nos.93, 94 & 95 of 2021, for impleading the legal representatives of the first defendant under Order 22 Rule 4 CPC. Since it is not a case of death of the first defendant during the pendency of the suit, Order 22 Rule 4 CPC would not apply and hence, the plaintiff has withdrawn those applications and has now come forward with an application under Order 1 Rule 10 CPC to implead the parties, who ought to have been the defendants even initially.

2.Heard, Mr.G.Nagarajan, learned counsel for the proposed respondents 9, 11 and 12. The learned counsel opposed this application but, this Court does not find any merit in this objection and the application is allowed.

N.SESHASAYEE, J.,

Tsg

3.The Registry is directed to carry out the necessary amendment in the cause title.

27.04.2021

Tsg



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