

**A.No.1118 of 2021 and**  
**A.Nos.316 to 318 of 2021**  
**in C.S.No.156 of 2020**

**R.PONGIAPPAN, J.,**

The plaintiffs in C.S.No.156 of 2020 has filed this application in A.No.1118 of 2021 under Order XIV Rule 8 of Original Side Rules read with Order 1 Rule 10 of C.P.C., seeking the relief to implead the proposed respondents 4 to 7, as defendants 5 to 8 in the main suit.

2. Today, when this application is taken up for hearing, Mr.Venkateswaran, learned counsel, takes notice on behalf of the proposed respondents 4 to 7 and seeks short accommodation for filing counter affidavit. However, he prays to treat the counter affidavit filed in A.No.3029 of 2020, as the counter affidavit for this application.

3. On going through the entire averments found in the present application and the counter affidavit filed in A.No.3029 of 2020, it is admitted on either side that the proposed respondents 4 to 7, are the legal representatives of the deceased second defendant. Due to the reason that the second defendant was died previous to filing the suit, the present application has been filed by the applicants.

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4. In fact, by order dated 23.02.2021, only this Court directed the applicant to file the said application. In otherwise, in respect to the merits of the case, the proposed respondents are having option to mention all their contentions in the written statement to be filed by them in the main suit.

5. Therefore, being the reason that this application has been filed only to implead the legal representatives of the deceased second respondent, all the objections raised by the learned counsel for the proposed respondents, are overruled and thereby, this application is allowed.

6. Registry is directed to carry out necessary amendments in the plaint and list the matter on 31.03.2021, for filing amended copy of the petition.

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16.03.2021

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