

A. No.3886 of 2021
in
C.S. No.45 of 2021

ABDUL QUDDHOSE, J.

This application has been filed to implead the applicant as third party who is the defendant in C.S. No.45 of 2021.

2. The Suit has been filed for the partition of the suit scheduled property based on the settlement deed dated 08.11.2004 bearing document No.1240 of 2004 registered before the SRO, Adyar, executed by the applicant's father, T. Ponnusamy.

3. According to the applicant, the settlement deed dated 08.11.2004 registered the documents No.1240 of 2004 though as a nomenclature as the settlement deed but it is actually a Will.

4. The same is disputed by the respondents/ plaintiffs. Admittedly, the applicant / third party is the legal heir of the deceased, T. Ponnusamy. No prejudice will be caused to the respondents/ plaintiffs if this impleading

application is allowed without prejudice to the rights and contentions in the main suit.

5. This Court is also satisfied with the reasons given in the affidavit filed in support of this application seeking for impleadment. Accordingly, this application is allowed as prayed for.

6. Plaintiff is directed to carryout necessary amendment, within a period of two weeks from today. Thereafter, the Registry is directed to post the matter before the learned Master and the learned Master is directed to post the matter before this Court after completion of services on the defendants.

08.11.2021

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