



A. No.1231 of 2022

in

C.S.No.481 of 1998

V.BHAVANI SUBBAROYAN., J.

This application has been filed to record the death of the 1st defendant and permit the petitioner to amend the cause title in plaint in C.S. No.48 of 1998.

2. The learned counsel for the applicant/plaintiff would submit that the aforesaid suit in C.S. No.481 of 1998 has been filed against the defendants seeking for partition and separate possession of the 1/3rd share of the plaintiff in the A & E schedule mentioned properties and 4/9th share in the schedule D,E and F to the plaintiff.

3. It has been further submitted that the 1st respondent/1st defendant who is the mother of the applicant/plaintiff and 2nd respondent died on 23.12.2021. The legal heirs of the 1st respondent are already on record in the suit and hence, there is no need of impleading any parties in the suit.



Since, the 1st respondent/1st defendant died, the applicant/plaintiff may be permitted to amend the cause title of the plaint to that effect.

4. Heard, the learned counsel appearing for the applicant and perused the affidavit in support of the application to record the death of the 1st defendant and to amend the plaint accordingly.

5. Considering the submissions made on either side, this Court is inclined to allow this application.

6. Having considered the facts and circumstances of the case, the parties are hereby directed to compromise the issue amicably between themselves since the matter is pending from the year 1998.

7. The learned counsel for both parties are hereby directed to advise their clients accordingly.



8. The learned counsel for the plaintiff shall carry out the amendment in the plaint as prayed for in the present application.

9. Post the matter after having carried out the amendment in the plaint as prayed for in this application.

21.03.2022

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