



A.No.3357 of 2022

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in
C.S.No.215 of 2021

KRISHNAN RAMASAMY, J.,

This Application has been filed, seeking to amend the plaint as follows:

“In the short cause title to add after the 3rd plaintiff as "(died)" and to add 4th plaintiff as P.Vignesh (Minor) S/o Late S.Palani, represented by his legal guardian S.Dhanapal and 5th plaintiff as P.Pavithara (Minor) S/o Late S.Palani, represented by her legal guardian S.Dhanapal;

In the long cause title in Paragraph 3, after S.Palani, to add the words "(died)" and add paragraphs 3A and 3B as "The 4th plaintiff is P.Vignesh (Minor) S/o Late S.Palani, represented by his legal guardian S.Dhanapal, Hindu aged about 17 years residing at No.32, Armenian Street, Chennai-01 and The 5th Plaintiff is P.Pavithara (Minor) D/o Late S.Palani, represented by her legal guardian S.Dhanapal, Hindu aged about 14 years residing at No.32, Armenian Street, Chennai-01" respectively.

After Paragraph (33) in the plaint to add paragraph 33 A The 4th and 5th plaintiffs are the legal heirs of the 3rd plaintiff who died on 07.05.2021 and therefore they have equal share in the suit schedule property and the



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defendants 1 and 2 cannot deny the same. The 4th and 5th plaintiffs are entitled to claim the 1/5th share of their deceased father and therefore entitled to claim 1/10th share each from the suit schedule property.

And to amend the first prayer as a) To partition and allot Plaintiff's 1/3rd share each to the 1st and 2nd plaintiff and 1/6th share each to the 4th and 5th plaintiff over the suit schedule property by metes and bounds.”

2. The learned counsel appearing for the respondents has reported no objection for the amendment sought for in the application, however, without amending the contents of the plaint.

3. Considering the submissions made by the learned counsel appearing for the respondents, this Court is inclined to allow this petition. Accordingly, this petition is allowed as prayed for.

12.08.2022

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