



CMP.No.13548 of 2022

in

SA.No.1276 of 2009

KRISHNAN RAMASAMY.J.,

This petition has been filed to exempt the petitioners/proposed appellants from bringing on record the legal representatives of the deceased nattamaidars Vadivel, Okantha Padayachi and Chinnavel Padayachi of the respondent Temple.

2. Originally, the suit in O.S.No.254 of 2000 was filed by respondent temple/Paranam Andavar Veeran Kovil Thiruvuru, through its representatives, viz., Nattanmai Karargal namely Vadivel, Okandha Padayachi, Ranganathan, Chinnaamy Padayachi and Palanivel. They were shown as the plaintiffs representing the Temple in the capacity as Trustees. Of whom, one Vadivel, Okandha Padayachi, Ranganathan & Chinnaamy Padayachi had passed away during the pendency of the Second Appeal. Now, one of the trustees, i.e. one Palanivel is alive and representing the respondent/temple.



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3. The learned counsel appearing for the petitioner would submit that the representatives of the respondent/temple had passed away and the details of their death and legal heirs could not be ascertained and hence, the legal heirs of the representatives of the deceased trustees could not be brought on record and at present, Thiru Palanivel, one of trustees is alive and now representing the respondent temple. Therefore, the learned counsel would urge this Court to exempt the petitioners/proposed appellants from bringing on record the legal representatives of the deceased nattamaidarars Vaidevel, Okantha Padayachi and Chinnnavel Padayachi to represent the respondent temple.

4. Considering the submissions made by the learned counsel for the petitioners and since the all the representatives of the respondent temple who filed the suit in the capacity of Trustees had died except one Thiru Palanivel and as the details of the legal representatives of the trustees of the respondent temple could not be traced out and since one of the Trustees, viz., Thiru Palanivel is very much available and now representing the respondent temple, this Court feels that it would be appropriate to exempt the petitioners/proposed appellants from bringing on record the legal



representatives of the deceased nattamaidars Vaidevel, Okantha Padayachi
and Chinnaval Padayachi to represent the respondent temple.

5. Accordingly, this petition is allowed.

14.09.2022

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