



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 03.03.2022

CORAM

THE HONOURABLE MRS.JUSTICE S. ANANTHI

C.R.P (MD) .No.394 of 2022

R.S. Maharajan (died)

S. Rajammal

: Petitioner/Petitioner/
Proposed 2nd Petitioner/
Proposed 2nd Plaintiff

Vs

R. Gnana Arulmoni

: Respondent / Respondent/
Respondent/ Defendant

PRAYER:- Civil Revision Petition filed under section 115 of the C.P.C, to call for the records relating to the case in I.A.No.2 of 2021 in I.A.No.1 of 2021 in O.S.No.17 of 2009 on the file of the I Additional District Judge, Tirunelveli, dated 25.10.2021 and set aside the same.

For petitioner : Mr. C. Jeganathan

For respondent : Mr. K. Rajeswaran

ORDER

The revision petitioner filed this revision to set aside the order dated 25.10.2021 passed in I.A.No.2 of 2021 in I.A.No.1 of 2021 in O.S.No.17 of 2009 on the file of the I Additional District Judge, Tirunelveli.

2. Heard the learned counsel appearing for the petitioner and perused the materials available on record. No adverse order passed against the respondent and hence, no notice is necessary to the respondent.

3. The Interlocutory Application in I.A.No.2 of 2021 filed by the petitioner / plaintiff to implead the proposed petitioner as Legal heir of the deceased petitioner as second petitioner in I.A.No.1 of 2021. Except the proposed party, no other Legal heirs to the deceased petitioner.

4. The respondent agitated that the succession certificate has to be produced. But, he has not denied the propose party is



only legal heir to the deceased petitioner. So, this Court is inclined to interfere with the order passed by the I Additional District Judge, Tirunelveli.

5. Accordingly, the Civil Revision is allowed by setting aside the order dated 25.10.2021 passed in I.A.No.2 of 2021 in I.A.No.1 of 2021 in O.S.No.17 of 2009 on the file of the I Additional District Judge, Tirunelveli. The learned I Additional District Judge, Tirunelveli is directed to implead the proposed party as petitioner. No costs.

Sd/-

Deputy Registrar (Accounts)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

trp

To

The I Additional District Judge, Tirunelveli

+1 CC to M/s.K.RAJESHWARAN, Advocate (SR-10005[F] dated 04/03/2022)

C.R.P (MD) .No.394 of 2022

03.03.2022

RD(21.03.2022) 2P 3C