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C.M.P.No. 13013 of 2017

in

S.A. No. 724 of 2006

T.V. THAMILSELVI, J.

This Civil Miscellaneous Petition has been filed seeking to implead the proposed party as a necessary party in the above Second Appeal.

2. The learned counsel for petitioner/proposed party would submit that he filed this petition praying to implead him as appellant in the above Second Appeal stating that after filing of Second Appeal, the original appellant died and he is not able to give the exact date of death. However, since it is an appeal upon a suit filed in a representative capacity, the question of impleading legal heirs does not arise. He would also submit that he belong to Nadar Community and he is also a worshipper of the deity and a contributor of funds for the temple, which is subject matter of suit. Hence, he filed this petition to implead him as appellant in the above Second Appeal.

3. Mrs.R.Meenal, learned counsel for 2nd respondent appeared and raised formal objections to allow this petition.



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4. On considering the facts and circumstances and being satisfied with the reasons assigned in the affidavit, this Court is inclined to allow this petition. The proposed party is impleaded as appellant in the above Second Appeal. The Registry is directed to carry out the necessary amendment in the cause title.

5. Post the matter on 22.11.2024.

05.11.2024

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