



C.M.P.Nos.18249 & 18287 of 2024

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in S.A.N.837 of 2021

R.SAKTHIVEL, J.

Petitioners filed C.M.P.No.18287 of 2024 praying to bring on record the respondent No.6 to 8 as respondents in the main appeal. The second appellant filed affidavit in support of the petition. It is stated that, 4th appellant herein namely S.Nagarajan passed away on 15.01.2024 leaving behind his wife N.Deepika, his son N.Abijay, his daughter N.Sasmitha Shree and mother S.Gowri as legal heirs. The deceased S.Nagarajan's mother S.Gowri is already on record in the appeal and to that effect, a memo was filed and the same was recorded on 25.07.2024. Further it is stated that the proposed legal heirs of the 4th appellant are not willing to come on record as appellants in the appeal. Hence, this petition is filed to bring on record the Legal heirs/ Legal representatives of deceased S.Nagarajan (Respondents 6 to 8 herein) as respondents 6 to 8 in the main appeal.

2. In these C.M.Ps, this Court ordered notice on 28.08.2024 to the respondents 6 to 8. The 6th respondent received the notice. Service of notice is sufficient. Despite sufficient notice, she did not choose to appear and contest the petition. Further she did not choose to act as guardian for her minor son and daughter namely Minor N.Abijay (aged 12) and Minor N.Sasmitha Shree (age 9)



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respectively.

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3. Considering the nature of the petitions, this Court is inclined to allow these petitions. Accordingly, these petitions are allowed. Mr.S.Shirsh [En.No.5929 /2021; Ph.No.9284465099; Address: #5/1, Shree Evara, 3rd Street, Karpagam Avenue (Behind India Cements), R.A Puram, Chennai -28] is appointed as Court guardian for the Minor Respondents No.7 & 8. His remuneration is fixed at Rs.3000/- (Rupees Three Thousand Only). Petitioner is directed to pay the remuneration directly to Court Guardian on or before 14.10.2024. After making payment, petitioner shall file memo to that effect in the Registry.

4. Accordingly, C.M.Nos.18249 & 18287 of 2024 stands allowed.

25.09.2024

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