



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-09-2025

CORAM

THE HONOURABLE DR.JUSTICE R.N.MANJULA

**A Nos. 2947, 2948 & 2949 of 2025 in
CS NO. 955 OF 2017**

1. Dr.Vasantha Rajamanickam
W/o M.S.Rajamanickam, No.46,
Abiramapuram 4th street, Chennai 600
018

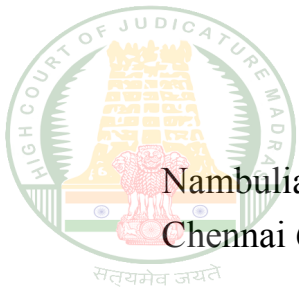
Applicant(s)

Vs

1. Indira Devaraj Bhat (Deceased)
1.Mahendra Kumar Singhvi and 8
others
S/o Nemichand Singhvi, New No.13,
Velliamman Salai, Thousand Light
Post, Chennai 600 006

2.G.V.Lakshmi Baskaran
W/o N.Baskaran, Flat No.C-3
Tiruchendur Complex, Door No.3 Babu
Rajendra Prasad Street, West
Mambalam Post, Chennai 600 033

3.Sandeep Kumar
S/o Bhom Raj Kothari, Door No.36



Nambulias Street, Sowcarpet Post,
Chennai 600 079

WEB COUNCIL

4.N.Baaskaran

S/o V.Nageshwaran, Flat No.C-3
tiruchendur Complex, Door No.3, Babu
Rajendra Prasad Street, West
Mambalam Post, Chennai 600 033

5.S.Jeeva

S/o Sundaram, Old No.1/568, New
No.7/699, Aringar Anna Nagar 5th
Street, Chennai 600 072

6.Siva Sankar

S/o Jambulingam, No.67/115,
Triplicane High Road, Chennai 600 005

7.Mahalakshmi

W/o Siva Sankar, No.67/1115,
Triplicane High Road, Chennai 600 005

8.S.Ramesh Kumar

S/o Sukan Chand Jain, No.104,
Govindappa Naicken Street, Chennai
600 001

9.Jyothi Priya

D/o.Late Dr.D.N.Bhat, No.41, Vallal
Begum Street, Marai Malai Nagar,
Chennai 603 209.

Respondent(s)



A No. 2949 of 2025

WEB PRAYER

To bring on record the proposed 9th Respondent/Defendant as the legal heir of the deceased 1st Respondent/Defendant in the above suit C.S.No.955 of 2017.

A No. 2947 of 2025

PRAYER

To condone the delay of 951 days in filing application to set aside abatement of the suit as against the 1st Defendant in C.S.No.955 of 2017.

A No. 2948 of 2025

PRAYER

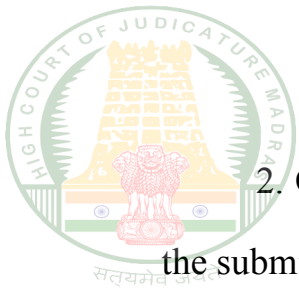
To set aside the abatement of the suit as against the 1st Defendant in C.S.No.955 of 2017.

For Applicant(s): Ms.R.Ramya

For Respondent(s): M/s.M.Jawahar For D1
Mr.A.Balamurugan for R5

ORDER

These applications have been filed to condone the delay of 951 days in filing application to set aside abatement of the suit as against the 1st Defendant ; to set aside the abatement of the suit as against the 1st Defendant and to bring on record the proposed 9th Respondent/Defendant as the legal heir of the deceased 1st Respondent/Defendant in the above suit C.S.No.955 of 2017.



2. On 08.09.2025, this Court has passed the following order after hearing the submissions of the learned counsel for D2 to D9.

WEB COPY

The 1st defendant died during the pendency of the suit for specific performance and the plaintiffs had taken steps to implead the legal heirs of the deceased 1st defendant and sought to implead proposed party as legal heir of the deceased 1st defendant and that was severely objected by the 2nd to 9th defendants, who claim themselves as earlier purchasers on the ground that they have purchased the property from the 1st defendant after having convinced that she was the only legal heir of her deceased husband, from whom she had inherited the property.

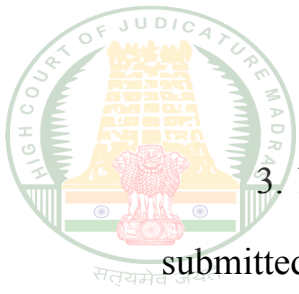
2. According to the learned counsel for the defendants, the plaintiff is trying to implead someone as the legal heir of the 1st defendant, when in fact the 1st defendant did not have any legal heir at all.

3. It appears that repeated notices were sent to the alleged legal heir of the 1st defendant, but the same were returned as 'no such addressee' and remained 'unserved'.

4. Under such circumstances, to implead a person, who did not receive notice and whose existence and their relationship with the 1st defendant that they are the legal heir of the 1st defendant have not been proved, by ordering substituted service of notice, would only cause confusion most confounded.

5. In view of the peculiar circumstances of the case, the plaintiff is directed to establish first about the correctness of the relationship of the proposed party as the legal heir of the deceased 1st defendant by producing some records.

6. Let the matter be listed after two weeks.



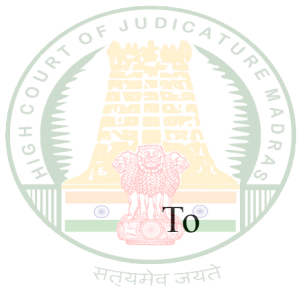
3. Now, when the matter is taken up today, the learned counsel for D1 submitted that whatever particulars given by him with regard to the legal heirs of the deceased first defendant is correct. There is a difference of opinion between the defendants especially, the legal heirs of the first defendant and other defendants.

4. The above issue can be agitated by the contesting defendants by way of seeking leave of the Court to file additional written statement and raise this as an issue.

5. In order to complete the process of impleading the proposed defendant subject to the liberty of the other defendants to raise their objection about her status, these applications are allowed.

22-09-2025

gsk



To

WEB COPY

1.Indira Devaraj Bhat (Deceased)

1.Mahendra Kumar Singhvi and 8
others

S/o Nemichand Singhvi, New No.13,
Velliamman Salai, Thousand Light
Post, Chennai 600 006

2.G.V.Lakshmi Baskaran

W/o N.Baskaran, Flat No.C-3
Tiruchendur Complex, Door No.3 Babu
Rajendra Prasad Street, West
Mambalam Post, Chennai 600 033

3.Sandeep Kumar

S/o Bhom Raj Kothari, Door No.36
Nambulias Street, Sowcarpet Post,
Chennai 600 079

4.N.Baaskaran

S/o V.Nageshwaran, Flat No.C-3
tiruchendur Complex, Door No.3, Babu
Rajendra Prasad Street, West
Mambalam Post, Chennai 600 033

5.S.Jeeva

S/o Sundaram, Old No.1/568, New
No.7/699, Aringar Anna Nagar 5th
Street, Chennai 600 072

6.Siva Sankar

S/o Jambulingam, No.67/115,
Triplicane High Road, Chennai 600 005



7.Mahalakshmi

W/o Siva Sankar, No.67/1115,

Triplicane High Road, Chennai 600 005

WEB COPY

8.S.Ramesh Kumar

S/o Sugan Chand Jain, No.104,

Govindappa Naicken Street, Chennai

600 001

9.Jyothi Priya

D/o.Late Dr.D.N.Bhat, No.41, Vallal

Begum Street, Marai Malai Nagar,

Chennai 603 209.



WEB COPY



R.N.MANJULA J.
gsk

**A Nos. 2947, 2948 &
2949 of 2025 in
CS NO. 955 OF 2017**

22-09-2025