



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-10-2025

CORAM

THE HON'BLE DR.JUSTICE R.N.MANJULA

A No. 3394 of 2025 in

TOS.No.28 of 2024

K. Saravanakumar
S/o.Late P.Kasivelu, No.2/95, Mettu Street,
Ayanavaram, Chennai - 600 023.

..Applicant(s)

Vs

1. K. Babukumar and another
S/o.Late P.Kasivelu, No.184/6, Mettu Street,
Ayanavaram, Chennai - 600 023.
2. K.Sasikumar
S/o.Late P.Kasivelu, No.2/95, Mettu Street,
Ayanavaram, Chennai - 600 023.

..Respondent(s)

PRAYER : To implead the Applicant in the above suit and array him as 2nd Defendant.

For Applicant(s): M/S.K. Rahavan

For Respondent(s): M/s.E.Senthilkumar for R1
Mr.M.Ganesan for R2

**ORDER**

This Application has been filed to implead the Applicant in the above suit and array him as 2nd Defendant.

2. The applicant has filed this Application to implead him as the second defendant in the suit. In fact, when the plaintiff filed an Original Petition in O.P.No.535 of 2022, the applicant has been arrayed as the second respondent. However, he has not filed his caveat properly and hence, at the time when the Original Petition was converted into Testamentary Original Suit, he could not remain as one of the defendants. After having waited for three years, the proposed party has come out with this application now saying that he has got objection for issuance of Letters of Administration as prayed by the plaintiff.

3. The learned counsel for the first respondent submitted that in view of the delay caused by the applicant, he is liable to pay cost.

4. The Testamentary Original Suit has not yet been disposed. The second respondent / defendant did not have any objection for allowing this Application. The trial has been commenced and the recording of evidence is going on. Even for the plaintiff, it would be appropriate if he could get the suit



disposed in the presence of the appropriate parties. So, in the interest of justice,

I feel this Application should be allowed.

WEB COPY

5. In the result, this Application is allowed and the plaintiff can carry out the necessary amendment in the plaint.

30-10-2025

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

GSK

To

1. K. Babukumar and another
S/o.Late P.Kasivelu, No.184/6, Mettu Street,
Ayanavaram, Chennai - 600 023.
2. K.Sasikumar
S/o.Late P.Kasivelu, No.2/95, Mettu Street,
Ayanavaram, Chennai - 600 023.



WEB COPY

A No. 3394 of 2



DR.R.N.MANJULA, J.

GSK

A No. 3394 of 2025 in

TOS.No.28 of 2024

30-10-2025