



CMP NO.394 OF 2011
IN S.A.NO.148 OF 2002

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2026

CORAM

THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

CMP NO.394 OF 2011

IN

S.A.NO.148 OF 2002

Thangavel
Son of Ayyakannu
Manalurpettai, Thirukoilur Taluk,
Villupuram District.

... Petitioner /
Appellant

Vs.

- 1.Dhandapani Chettiyar (Died)
- 2.Kattyam @ Jayaapaul Chettiyar
Son of Natesan
Perumal Koil Street, Ulundurpettai.
- 3.Dharman
Son of Mohan Dhas
No.19, Thakka Street, Ulundurpet.
- 4.Kaliyan
Son of Manickam
Kattaikarai Street.



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5.Bakkiammal
Wife of Kaliya Perumal Chettiyar
Kallakurichi.

6.Indhirani Amma
Wife of Palani Chettiyar
Provision Store, Chellakuppam,
Kandalur North District.

7.Nalli Ammal
Wife of Dhandapani Chettiyar
Vannarapettai, Cuddalore District.

8.Janaki Ammal
Wife of Natesa Chettiyar
Malaiyanur, Ulundurpet Taluk.

9.Venugopal (Died)

10.Thiyakarajan
Son of Ponnusamy
2A, Udayar Street, Ulundurpet.

11.Ambujam
Wife of Ramalinga Chettiyar

12.Bakkialakshmi
Wife of Chinnasamy

Respondents 11 and 12 are residing at
No.7, Udayar Street, Ulundurpet.

13.Minor Parvathy
Daughter of Ramalinga Chettiar

14.Minor Muniyan
Son of Ramalinga Chettiar



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Respondents 13 and 14 are residing at
Perumal Koil Street,
Ulundurpettai.

... Respondents /
Respondents

15.Nachiyar
Wife of Dhandapani

16.Murugan
Son of Dhandapani

17.Rajavelu
Son of Dhandapani

18.Palaniyammal
Daughter of Dhandapani

Respondents 15 to 18 are residing at
19, Perumal Koil Street,
Ulundurpettai – 606 107.
Villupuram.

... Respondents /
L.Rs of 1st Respondent

19.Madhivanan
Son of Venugopal

20.Rani
Daughter of Venugopal

21.Anbalagan
Son of Venugopal

22.Leela
Wife of Venugopal

23.Sathies
Son of Venugopal



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24.Santhosh
Son of Venugopal

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Respondents 19 to 24 are residing at
9, Udaiyar Street, 1st Ward,
Ulundurpettai – 606 107.
Villupuram.

... Respondents /
L.Rs of 9th Respondent

PRAYER: Civil Miscellaneous Petition filed under Order XXII Rule 4 of the Code of Civil Procedure, 1908, praying to bring on record the respondents 15 to 18 herein, as legal heirs of the deceased 1st respondent in S.A.No.148 of 2002 and rank them as respondents 15 to 18 in the above Appeal.

For Petitioner : Ms.V.Srimathi

ORDER

Ms.V.Srimathi, learned Counsel appearing for the petitioner is before this Court.

2.This Civil Miscellaneous Petition is filed praying to bring on record the respondents 15 to 18 herein, as the legal heirs of the deceased first respondent in S.A.No.148 of 2002 and rank them as respondents 15 to 18 in the above Appeal.

3.This Court has perused the case file and the affidavit filed in support of this Civil Miscellaneous Petition.



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4.The first respondent passed away on May 1, 2010 leaving behind the respondents 15 to 18 as his legal heir(s) / legal representative(s) and the ninth respondent passed away on May 1, 2010 leaving behind the respondent Nos.15 to 18 as his legal heirs / legal representatives.

5.Upon perusal of the records, it is noted that the petitioner has filed an affidavit swearing the factum of death of respondent Nos.1 and 9 and have sought to implead their legal heirs. However, the present Civil Miscellaneous Petition has been instituted only in respect of respondent No.1. In view of the facts and circumstances of the case, this Court partly allows the Civil Miscellaneous Petition as against respondent No.1, while the same stands dismissed *qua* respondent No.9.

6.In fine, this Civil Miscellaneous Petition is partly allowed. Registry is directed to carry out necessary amendment as far as respondent No.1 in the Memorandum of Grounds of Appeal.

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R.SAKTHIVEL, J.

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