



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2026

CORAM

THE HONOURABLE MR.JUSTICE R. SAKTHIVEL

WEB COPY

CMP.No.774 of 2023

in

S.A.No.1596 of 1996

1.Thulasiammal (died)

2.K.T.Thulasiram (died)

3.T.Nagendran
S/o.Late.M.R.Thulasiram
32-A, Shankar Nagar
Salem-7.

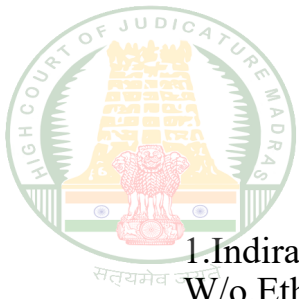
4.K.T.Rangachari
S/o.K.T.Thulasiram
29/21, Old Market Street
Fort, Salem-1.

5.K.T.Ragunath
S/o.K.T.Thulasiram
29/21, Old Market Street
Fort, Salem-1.

6.K.T.Krishnamoorthy
S/o.K.T.Thulasiram
29/21, Old Market Street
Fort, Salem-1.

7.N.G.Lalitha
W/o.Govindarajan
29/21, Old Market Street
Fort, Salem-1.

....Petitioners/Appellants 3 to 7



Versus

1.Indirani
W/o.Ethiraj
103-A, R.D. Paul Street
Arisipalayam
Salem-9.

2.S.G.Ethiraj (Died)
S/o.Govindaraj
103-A, R.D. Paul Street
Arisipalayam
Salem-9.

....Respondents 1&2/Respondents 1&2

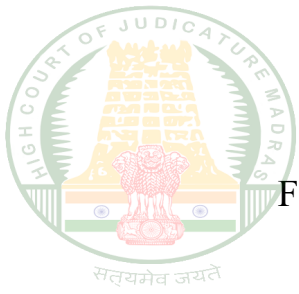
3.E.Ravindranath Tagore,
S/o.Late. S.G.Ethiraj
103-A, R.D. Paul Street
Arisipalayam
Salem-9.

4.E.Ramamoorthy
S/o.Late.S.G.Ethiraj
103-A, R.D. Paul Street
Arisipalayam
Salem-9.

5.E.Ramadevi
D/o.Late.S.G.Ethiraj
103-A, R.D. Paul Street
Arisipalayam
Salem-9.

...Proposed respondents 3 to 5/
LRs of the deceased 2nd Respondent

Prayer: Civil Miscellaneous Petition filed under Order XXII Rule 4 and 5 of the Code of Civil Procedure, 1908 praying to bring on the LR's of deceased 2nd Respondent Ethiraj as Respondents 3 to 5 and record herein 3 to 5 respondents, namely, E.Ravindranath Tagore, E.Ramamoorthy, E.Ramadevi as legal heirs of the deceased S.G.Ethiraj in the above Second Appeal.



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For Appellants : Ms.P.Vidhya Shree
For Ms.P.T.Ramadevi

For Respondents : Mr.J.Sairam
Mr.P.Jagadeesan

ORDER

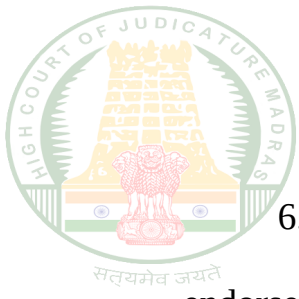
Ms.P.Vidhya Shree, representing Ms.P.T.Ramadevi, Counsel on record for the Petitioners and Mr.J.Sairam, representing Mr.P.Jagadeesan, Counsel on record for the Respondent No.1 are before the Court.

2. Mr.J.Sairam, representing Mr.P.Jagadeesan, Counsel on record for the Respondent No.1 in the main appeal takes notice on behalf of the Respondent No.1 in the Civil Miscellaneous Petition.

3.Heard both sides.

4.This Court has perused the affidavit filed in support of this petition.

5.The Respondent No.2 in the main appeal, namely, S.G.Ethiraj, passed away on July 3, 2022 leaving behind his wife, namely, Indirani (Respondent No.1) and two sons, namely, E.Ravindranath Tagore, E.Ramamoorthy and one daughter, namely, E.Ramadevi, as his legal heirs/legal representatives.



6. Notice sent to the Respondent Nos. 3 to 5 returned with a postal endorsement as “No Such Person”.

7. Considering the nature of the petition, this Court is of the view that no notice is required for the Respondent Nos. 3 to 5. Since the first respondent who is the mother of the Respondent Nos. 3 to 5 is already on record and contesting the Second Appeal. Hence, this Court is inclined to allow the Civil Miscellaneous Petition.

8. Accordingly, the Civil Miscellaneous Petition is allowed. Considering the facts and circumstances of the case, there shall be no order as to costs.

03.06.2026

MSM

Note: Registry is directed to carry out necessary amendment in the main Second Appeal No. 1596 of 1996 and list the matter on **June 10, 2026**.



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R.SAKTHIVEL, J

MSM

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in
S.A.No.1596 of 1996

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