



CMP(MD) No.14436 of 2023

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)**

Wednesday, the Twentieth day of December Two Thousand and Twenty Three

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

CMP(MD) No.14436 of 2023

in

SA(MD) No.72 of 2017

VIJAYAN

... PETITIONER/ APPELLANT

Vs

K.PAYAZ MOHAMMED

... RESPONDENT/RESPONDENT

Civil Miscellaneous Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to permit for amendment of the description of property in the plaint by inserting the details as set out in the accompanying petition to the plaint schedule.

PARTICULARS OF AMENDMENT

After the existing details of the schedule of property in the plaint and the decrees of the courts below, the following particulars have to be inserted,

மேற்படி சொத்தானது முள்ளிப்பாடி கிராமம், அயன் சர்வே

எண்.543/1யில் கட்டுப்பட்டது. நான்குமால்

S.No.540 சொத்துக்கு தெற்கு

S.No.543/5A2A1, 543/108, 543/5A16, 543/5A18, 543/1A6, 543/54,

543/11A5A1 சொத்துகளுக்கு மேற்கு

<https://www.mhc.tn.gov.in/judis>



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S.No.543/20A3, 543/109, 543/2B1, 543/1B1 சொத்துகளுக்கு

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வடக்கு

S.No.540 சொத்துக்கு கிழக்கு

Prayer in SA(MD).72/2017 :

To call for the records and set aside the judgement and decree dated 04.07.2016 in A.S.No.77 of 2015 on the file of Principal Sub Court, Dindigul reversing the Judgment and decree dated 15.07.2015 in O.S.No.585 of 2011 on the file of Principal District Munsif Court, Dindigul and allow this second appeal with costs throughout.

ORDER : This Civil Miscellaneous petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.H.LAKSHMI SHANKAR, Advocate for the petitioner and of MR.S.ANAND CHANDRASEKAR, Advocate for M/S.SARVABHAUMAN ASSOCIATES on behalf of the Respondent, the court made the following order:-

This petition is filed praying to permit the amendment of the description of property in the plaint by inserting the details as set out in the accompanying petition to the plaint schedule.

2.Considering the facts and circumstances of the case and also on being satisfied with the reasons stated in the affidavit filed in support of the present petition, this Petition is allowed.

3.Registry is directed to transmit the original records to the Courts below enclosing a copy of the affidavit and petition, so as to enable the Courts below, to make necessary amendment.

4.On receipt of original records, the Trial Court as well as the first Appellate



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Courts below are directed to effect necessary amendment in the plaint, decree including suit register and other relevant records, wherever it is required. After making necessary amendment, the Courts below shall re-transmit the original records to this Court.

5. On transmission of records, the Registry is directed to effect necessary amendment in the typed-set of papers filed in the Second Appeal, wherever it is required.

sd/-
20/12/2023

/ TRUE COPY /

/01/2024

Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

KSA

TO

1 THE PRINCIPAL SUBORDINATE JUDGE,
DINDIGUL.

2 THE PRINCIPAL DISTRICT MUNSIF,
DINDIGUL.

COPY TO

1 THE REGISTRAR (JUDICIAL),
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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2 THE SECTION OFFICER,
JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

3 THE SECTION OFFICER,
V.R.SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CMP(MD) No.14436 of 2023
in
SA(MD) No.72 of 2017
Date :20/12/2023

RS/VR/SAR-(11.01.2024) 4P 6C
Madurai Bench of Madras High Court is issuing
certified copies in this format from 17/07/2023