



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-04-2026

CORAM

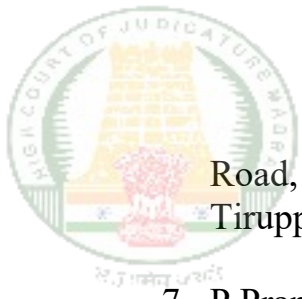
THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 732 of 2025

AND

CMP No. 4204 of 2025

1. Subbaiyagounder
W/o. Palanisamygounder, Ellies Nagar Post,
Nachimuthugoundanpudur, Naikan Kattu
Thottam, Chithravuthanpalayam Village,
Dharapuram Taluk, Tiruppur Dist.
2. S.Subulakshmi
W/o. Nachimuthugoundar, D/o.
Subbaiyagounder, Door No. 120, Vanni Mara
Thottam, Thoppampatti Village, Dharapuram
Taluk, Tiruppur Dist.
3. Lingasamy
W/o. Subbaiyagounder, Door No. 187, Suriya
Gandhi Street, Shanmundipuram East, Gandhi
Nagar Post, Tiruppur Town, Tiruppur Dist.
4. Subramanian
S/o. Subbaiyagounder, Door No. 339,
Kinathukattu Thottam, Kondarasampalayam,
Chithravuthanpalayam, Dharapuram Taluk,
Tiruppur Dist.
5. Dhanalakshmi
W/o. Palanisamy
Door No. 170, Gandhi Nagar Post, Avinashi
Road, Elementary School Street, Kumar Nagar,
Tiruppur Town and Dist.
6. P.Bharthwaj
S/o. Palanisamy
Door No. 170, Gandhi Nagar Post, Avinashi



Road, Elementary School Street, Kumar Nagar,
Tiruppur Town and Dist.

7. P.Pranavi

W/o. Naveenkumar, D/o. Late.Palanisamy,
Door No. 56/4, Sri Devi Tex, Kumalan Kuttai,
Perundurai Road, Erode Dist.

W/o. Palanisamy

Door No. 170, Gandhi Nagar Post, Avinashi
Road, Elementary School Street, Kumar Nagar,
Tiruppur Town and Dist.

8. Angammal

W/o. Subbaiyagounder

Ellies Nagar Post, Nachimuthugoundanpudur,
Naikan Kattu Thottam, Chithravuthanpalayam
Village, Dharapuram Taluk, Tiruppur Dist.

..Petitioner(s)

Vs

1. Vijaya

W/o. C.Nataraj

D/o. Nachimuthugounder Door No. 132/3,
Selvanagar, College Road,
Chithravuthanpalayam Village, Dharapuram
Taluk, Tiruppur Dist.

2. Eswari

W/o. Eswaramurthi, D/o. Nachimuthugounder,
Villvamara Thottam,
Kurarappanayakanpalayam, Chinnaputhur
Village, Dharapuram Taluk, Tiruppur Dist.

3. The Thasildar,

Dharapuram Town, Dharapuram Tk, Tiruppur
Dist.

4. The District Collector

Palladam Road, Tiruppur Town and Dist.

..Respondent(s)

**CMP No. 4204 of 2025**

1. Subbaiyagounder
W/o. Palanisamygounder, Ellies Nagar Post,
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Naikan Kattu Thottam, Chithravuthanpalayam
Village, Dharapuram Taluk, Tiruppur Dist.

..Appellant(s)

Vs

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4. The District Collector
Palladam Road, Tiruppur Town and Dist.

..Respondent(s)

CRP No. 732 of 2025

To set aside the order dt. 29.11.2024 in I.A.No. 2 of 2024 in
O.S.No. 422 of 2019 on the file of the District Munsif Court, Dharapuram.

CMP No. 4204 of 2025

To stay all further proceedings in O.S.No. 422 of 2019 on the file
of the District Munsif Court, Dharapuram pending disposal of the above CRP

**CRP No. 732 of 2025**

For Petitioner(s):

Mr.K.Sudhakar

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For Respondent(s):

Mr.P.R.Balasubramanian for R1

Mr.M.Murali Government Advocate for R3 & R4
R2 - No Appearance**ORDER**

This Civil Revision Petition has been filed to set aside the order dated 29.11.2024 in I.A.No. 2 of 2024 in O.S.No. 422 of 2019 on the file of the District Munsif Court, Dharapuram.

2.The learned counsel for the petitioners would submit that originally, the plaintiff/1st respondent herein has mentioned the 2.32 cents (Two acre thirty two cents) in the plaint and now seeks for declaration for 0.71/2 cents without mentioning the correct boundaries at the time of filing of the suit which is barred by limitation as well there is no schedule of property in plaint for 0.71/2 cents. Further, the 1st respondent/plaintiff filed the suit in the year 2019 and the petitioners/defendants have filed the Written Statement on 16.11.2020 itself explaining that the plaintiff/1st respondent herein did not have any prior title. But, the present amendment has been filed only on 03.09.2024 after four years for delaying the suit proceedings. Whereas, the Trial Court without considering the aforesaid facts, has erroneously allowed the prayer of the 1st respondent/plaintiff. Hence, he seeks to set aside the order dated 29.11.2024 in



I.A.No. 2 of 2024 in O.S.No. 422 of 2019 passed by the Trial Court by allowing the present Civil Revision Petition.

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3.The learned counsel for the 1st respondent would submit that the suit has been filed in the year 2019 seeking for permanent injunction. Since the 1st respondent/plaintiff by mistake has not mentioned the exact extent of 0.71/2 cents in the plaint and it has to be declared in favour of the plaintiff, the 1st respondent/plaintiff filed the application in I.A. No.2 of 2024 seeking for amendment in the plaint accordingly. After considering the entire facts and circumstances of the case, the Trial Court has allowed the aforesaid application. Hence, this Court need not interfere with the order passed by the Trial Court.

4. Heard both sides and perused the materials available on record.

5. On perusal of the records, it is seen that the suit is filed in the year 2019 and the same is pending for Trial after framing of issues. Such being a stage, the plaintiff/1st respondent has sought for amendment in the plaint for not mentioning the correct extent of the suit property, consequently seeks prayer for declaration by which the character of the suit will not change and if it is not allowed, it would lead to multiplicity of proceedings. While the plaintiff amends the plaint, the defendant/petitioners herein are at liberty to file their additional written statement to defense the amendment sought by the 1st



respondent/plaintiff. Hence, there is no necessity to interfere with the order dated 29.11.2024 made in I.A. No.2 of 2024 passed by the Trial Court.

However, after considering the facts and circumstances of the case, the Trial Court is hereby directed to dispose of the case within a period of five months from the date of receipt of copy of this order. Further, both the parties are directed to cooperate with the Trial Court to complete the Trial as soon as possible without asking for further adjournments.

6. With the aforesaid directions, this Civil Revision Petition is disposed of.

No Costs. Consequently, connected miscellaneous petition is closed.

06-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

Lbm

CRP No. 732 of 2025 & CMP No. 4204 of 2025

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Village, Dharapuram Taluk, Tiruppur Dist.



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CRP No. 732 of 2



T.V.THAMILSELVI J.

Lbm

3. The Thasildar,
Dharapuram Town, Dharapuram Tk, Tiruppur Dist.
4. The District Collector
Palladam Road, Tiruppur Town and Dist.

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