



WEB COPY

CRP No.452 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-07-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

CRP No. 452 of 2025

Lakshmi Nagarajan
Rep. by Power of Attorney Holder, Ramesh
Nakaratanam, No.3, 7th Cross, Kamaraj Street,
K.K.Pudur, Coimbatore

..Petitioner

Vs

S.Shanthi
W/o.Late Subrmaniam, No.3/346, Sulligudu,
S.Kaikatty Post, Kotagiri Taluk, The Nilgiris

..Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the docket order dated 07.02.2024 passed in I.A.No.1 of 2023 in OS No.14 of 2020 on the file of the District Judge of the Nilgiris at Udhagamandalam.

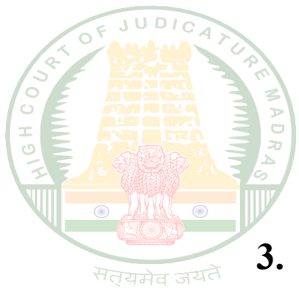
For Petitioner : Mr.C.Prakasam

For Respondent: : Mr.L.Mouli

ORDER

This Civil Revision Petition has been filed challenging the Docket Order dated 07.02.2024 passed by the learned District Judge of Nilgiris, Udhagamandalam, in I.A.No.1 of 2023 in O.S.No.14 of 2020.

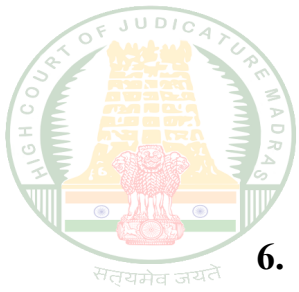
2. In the aforesaid order, the application filed by the respondent seeking to amend the pleadings in the written statement has been allowed.



3. According to the learned counsel appearing for the respondent, there was a typographical error committed in the earlier written statement filed by the respondent.

4. However, the aforesaid contention is disputed by the learned counsel appearing for the petitioner, who is the plaintiff in the suit. According to the petitioner/plaintiff, it is not a typographical error, and if amendment is allowed, it will alter the pleadings of the respondent/defendant in the written statement. It is also his contention that the application was filed by the respondent/defendant at a belated stage. According to them, erroneously, the impugned order came to be passed.

5. In reply, the learned counsel for the respondent/defendant would submit that only due to the fact that there was a typographical error in the written statement, there became a necessity for the respondent/defendant to file an application seeking for amendment of the pleadings. The learned counsel also drew the attention of this Court to the original written statement filed by the respondent/defendant as well the amendment application filed by the respondent/defendant. Further, the learned counsel would submit that the petitioner herein is the plaintiff in the suit and he has a *bona fide* interest in further proceeding with the suit.



6. This Civil Revision Petition is of the year 2025. In view of the stay granted by this Court, there is no progress in the suit, which is not in the interest of the parties to the suit. At this belated stage, the question of analysing the issue as to whether the impugned order is correct or not will not be in the interest of the parties to the suit.

7. Admittedly, the Trial Court has not decided on the merits of the respective contentions with regard to the suit prayer. From the impugned order, only an amendment application has been allowed to amend the pleadings in the written statement. The petitioner contends that the amendment would alter the character of the pleadings of the written statement, whereas, the respondent contends that the amendment is only a typographical error found in the original written statement and by way of amendment, the character of the written statement is not changed. This Court need not decide in this Civil Revision Petition at such a belated stage as to who is correct. It is in the interest of justice that the issue may be left open for the Trial Court to decide in the main suit.

8. Accordingly, without interfering with the impugned order and without deciding as to whether the impugned order is correct or not, this Civil Revision Petition is disposed of by granting liberty to the petitioner to raise all objections



with regard to the amendment during the time of cross-examination of the respondent's/defendant's witness as well as at the time of arguments in the main suit.

9. Since the suit is of the year 2020, this Court directs the Trial Court, viz., the learned District Judge, Nilgiris, Udhagamandalam, to dispose of the suit in O.S.No.14 of 2020 within a period of six months from the date of receipt of a copy of this order, uninfluenced by any of the observations recorded in the impugned order as well as in this order by permitting the petitioner to cross-examine the respondent's/defendant's witness with regard to the amendment carried out in the written statement as well as at the time of arguments in the main suit. No costs. Consequently, connected miscellaneous petition is closed.

22-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

Sd

To
The District Judge of the Nilgiris at UdhagamandalamTo



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ABDUL QUDDHOSE, J.

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