



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-08-2026

CORAM

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THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

CRP No. 4557 of 2026

and

CMP No. 20023 of 2026

1. R.Balaraman
S/o. Raghavan Ikkadu Road Thiruvallur
Town and Taluk

Petitioner(s)

Vs

1. S.RAJASEKAR (DIED) 1.
S.Venkatesh
S/o. S.Subbaiah Naidu Redhills Road
Thiruvallur Town and Taluk Thiruvallur
Dist. Raghavan (Died)
R.Bakthavatchalam (Died)

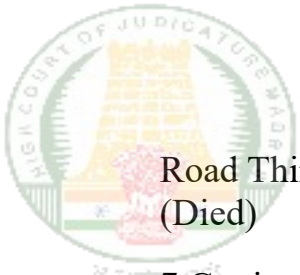
2.R.Sampath
S/o. Raghavan Ikkadu Road Thiruvallur
Town and Taluk L.Ravi (Died)

3.Lakshmi
W/o. Chandran No.19, Ikkadu Road,
Iyveli Agaram Thiruvallur Town and
Taluk Rukmani (died)

4.Prema
W/o. shanmugam No.19, Ikkadu Road,
Iyveli Agaram Thiruvallur Town and
Taluk Rukmani (died)

5.Kalavathy
W/o. Durai No.19, Ikkadu Road, Iyveli
Agaram Thiruvallur Town and Taluk

6.Purushothaman
S/o. Late. Bakthavatchalam Ikkadu



Road Thiruvallur Town and Tk Velavan
(Died)

7.Gopinath

S/o. Late. Bakthavatchalam Ikkadu
Road Thiruvallur Town and Tk

8.Miss Madumathi

D/o. Late. Kannagi Sadagopan Ikkadu
Road Thiruvallur Town and Tk

9.Miss Preethi

D/o. Late. Kannagi Sadagopan Ikkadu
Road Thiruvallur Town and Tk

10.Miss Nivetha

D/o. Late. Kannagi Sadagopan Ikkadu
Road Thiruvallur Town and Tk

11.Parimala

W/o. Late Velavan Ikkadu Road
Thiruvallur Town and Tk

12.Vinothkumar

S/o. Late Velavan Ikkadu Road
Thiruvallur Town and Tk

13.Vinothini

D/o. Late Velavan Ikkadu Road
Thiruvallur Town and Tk

Respondent(s)

PRAYER

Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the Fair and Decretal Order dt. 20.08.2025 passed in IA No.22 of 2025 in OS No.247 of 1998 on the file of the Principal District Munsif, Tiruvallur

For Petitioner(s): Mr.K.B.Vivekanandhan

For Respondent(s): Mr.T.Pushkin Rajkumar for
M/s.Y.Vishaka



ORDER

This Civil Revision Petition has been filed, challenging the impugned order dated 20.08.2025 passed by the Principal District Munsif Court, Tiruvallur in I.A. No.22 of 2025 in O.S. No.247 of 1998.

2. In the aforesaid order, the application filed by the respondents/plaintiffs to amend the plaint in O.S. No.247 of 1998 on the file of the Principal District Munsif Court, Tiruvallur, based on the Advocate Commissioner's report, has been allowed.

3. The petitioner, who is the third defendant in the suit, is aggrieved by the allowing of the amendment application on the ground that the character of the suit has been altered by including the relief of eviction. The petitioner also contends that the Advocate Commissioner's report has not taken into consideration the canal and it is an erroneous report.

4. It is now brought to the notice of this Court by the learned counsel for the respondents that, subsequent to the impugned order, the petitioner/third defendant had also cross-examined the plaintiffs with regard to the amendment. He would submit that this Civil Revision Petition has been filed belatedly,



though the impugned order, allowing the amendment, came to be passed as early as on 20.08.2025.

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5. The learned counsel for the petitioner would submit that, although the impugned order is dated 20.08.2025, the petitioner/third defendant had received the order copy from the trial Court only in the month of February, 2026.

6. At this belated stage, the question of considering as to whether the impugned order is correct or not, does not arise by this Court. Even if the statement of the petitioner/third defendant that he had received the impugned order only in the month of February, 2026 is to be accepted, even then there is a delay in the filing of the Civil Revision Petition, as the Civil Revision Petition was filed only in the month of June, 2026.

7. After the passing of the impugned order, there are subsequent developments. The petitioner/third defendant has already cross-examined the plaintiffs with regard to the amendment as per the impugned order. The petitioner's rights have not been defeated by the impugned order, as he has the right to cross-examine the plaintiffs' witness with regard to the amendment and has also got the right to raise all objections at the time of arguments in the main



suit.

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8. The suit is of the year 1998 and, therefore, at this belated stage, after a lapse of more than twenty-six years, the question of interfering with the impugned order by this Court, does not arise due to the reasons stated supra.

9. Even if the petitioner/third defendant claims that the character of the suit has been altered by the allowing of the amendment application, his rights have not been defeated to contest the suit, as he has got the right to cross-examine the plaintiffs' witness and has got the right to raise all objections at the time of arguments in the main suit.

10. This Court does not find any merit in this Civil Revision Petition. Accordingly, this Civil Revision Petition is dismissed. No Costs. Consequently, connected miscellaneous petition is closed.

06-08-2026

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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To
The Principal District Munsif Court, Tiruvallur.



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ABDUL QUDDHOSE J.

ab

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