



WEB COPY

A No. 3965 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-02-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

A No. 3965 of 2025

in

C.S.No.263 of 2024

1.Mr.G.Kirubhakaran

2.Mrs.S.Jayashree

...Applicant (s)

Vs

1.Mr.Chelapthy Rao

S/o.Late Dr.M.Seshagiri Rao,
Proprietor of Dr.Giri's Museum,
Having office at,
No.24, Brandson Garden Street,
Kilpauk, Chennai-600 010.
and residing at
Old No.23, New No.49,
Medavakkam Tank Road,
Perambur Barrack,
Chennai-600 12.

2.Mrs.Surekha Hariharan

...Respondents

Application filed under Order XIV Rule 8 of the Madras High Court OS Rules read with Order VI Rule XVII of the Code of Civil Procedure, to order the amendment of plaint and consequential amendments as morefully stated in the schedule to the Judges Summons.

For Applicant(s): Mr.C.Thiagarajan

For Respondents: Mr.Nambi Arooran

**ORDER**

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2. According to the applicants, the applicants are the plaintiffs in the main suit and the suit was filed for recovery of money based on cheques. In the plaint the plaintiff mentioned the dates and number of the cheques and the amount of cheques. However, certain cheques particulars were inadvertently mentioned wrongly due to typographical error. Therefore, this application is filed.

3. The second respondent filed a counter, denying the averments. According to the second respondent he is no way connected with the loan transactions between the first respondent and plaintiff and the suit itself is not maintainable. Even according to the plaintiff, the first respondent borrowed money on various occasions from the year 2013 to 2017. The first respondent never instructed the second respondent to receive the 7 blank cheques which were received earlier for some other loan transactions. The same is also stated in the reply notice sent by the second respondent. Already, the first respondent repaid the money to the tune of Rs.3,80,00,000/- to the applicant/plaintiff towards principal and interest. While so, it is not necessary to seek furnish security to tune of Rs.1,60,00,000/- and amended the plaint as prayed in the



application. Therefore, the application is liable to be dismissed.

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4. This Court heard both sides and perused the records. According to applicant, due to typhographical error some of the cheques particulars were wrongly typed. The applicant also tabulated the particulars of cheques and the corrections.

5. This Court also perused the particulars of amendment, the applicant/plaintiff also already produced cheques before this Court along with the plaint. On a perusal of cheques, it is seen that the particulars of some cheques have been wrongly typed and those corrections are only typhographical error. Though the respondent strongly objected to allow this application, the proposed amendment is only in respect of the particulars of cheques which were already filing along with plaint and the proposal amendment no way alters the nature and character of the suit. Therefore, this Court is inclined to allow this application.

6. The grounds raised by the respondent are all defence to be adjudicated in the suit. In view of the same, this application is allowed.



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7. Necessary amendment in the cause title shall be made.

8. For filing Amended Complaint Copy, post the matter on 23.02.2026.

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P.DHANABAL, J.

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