

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

CRP.No.5468 of 2010

ORDER :

Heard Sri N. Sriram Murthy, counsel for petitioner and Sri Ch.Ravindra Babu, for respondent nos.1 to 3.

2. This Revision is filed challenging the order dt.23.09.2010 in I.A.No.592 of 2010 in O.S.No.122 of 2009 on the file of XI Additional District Judge, (Fast Track Court), Tenali, dismissing the application filed by petitioner under Order 6 Rule 17 C.P.C. to amend the plaint schedules and include item nos.11 and 12 shown in the petition schedule as item nos.11 and 12 in the plaint 'A' schedule.

3. The court below felt that the petition is not in accordance with the Civil Rules of Practice and that certain movables as well as immovable properties were sought to be shown as item nos.11 and 12 in the plaint 'A' schedule; and that consequential amendment proposed therein is inconsistent with the prayer in the affidavit. Certain other procedural errors in the petition were also pointed out.

4. In my considered opinion, there is no error in the order passed by the Court below in insisting that the petition filed seeking amendment of plaint schedule

should be in conformity with the Civil Rules of Practice.

5. Therefore, I do not find any merit in the Revision and it is accordingly dismissed. No order as to costs.

6. However, it is made clear that it is open to petitioner to file a fresh application seeking amendment of plaint schedule in conformity with the Civil Rules of Practice keeping in view the observations of the Court below in the impugned order, and if such an application is filed, the Court below shall dispose it of in accordance with law.

7. Miscellaneous applications, pending if any in this Revision, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 17-06-2015

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