

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 14.12.2016

Coram

The Honourable MRS.JUSTICE **PUSHPA SATHYANARAYANA**

C.R.P.PD.No.3312 of 2014
and
M.P.No.1 of 2014

C.K.Anbazhagan

... Petitioner

vs.

1. Sarumathi
2. Lakshmi
3. K.V.Ramamoorthi
4. K.V.Kumar
5. K.V.Nagaraj
6. K.V.Saravanan
7. Jeevarathnam

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India against the fair and decretal order dated 27.11.2013 made in I.A.No.349 of 2013 in O.S.No.23 of 2010 on the file of the Sub Court, Tirupattur, Vellore District.

For Petitioner : Mr.PA.Sudesh Kumar

For Respondent-1 : Served-No Appearance

For Respondents 2 to 7 : Given up

ORDER

The first defendant in a suit for partition, has filed this revision challenging the amendment of the plaint being allowed by the trial Court.

2. The amendment is with respect to mortgage value of the property, which was omitted to be mentioned earlier. Therefore, the amendment is sought for, which is now allowed.

3. The objection of the revision petitioner is that the learned trial Judge has come to the conclusion that the market value and the guideline value of the property need not be same, which is erroneous. The learned counsel for the petitioner would state that he would be satisfied, if the issue with respect to valuation of the property, is framed for trial.

4. Accordingly, the learned Subordinate Judge, Tirupattur, Vellore District is directed to frame the following issue:

"Whether the suit properties are properly valued?"

5. After framing the issue, the parties are directed to go for trial. Hence, the amendment is confirmed and only an additional issue is framed as above, which can be agitated at the time of trial.

6. With the above direction, this Civil Revision Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

14.12.2016

Index :Yes

Internet:Yes

srn

To

The Sub Court,
Tirupattur, Vellore District.

PUSHPA SATHYANARAYANA.J

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