



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2018

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (MD) .No.1840 of 2018 and
C.M.P. (MD) No.8051 of 2018

1. K.Nagammal
2. V.N.Krishnakumar
3. V.N.Senthilkumar

... Petitioners/Petitioners/
Plaintiffs

Vs.

1. K.Sankaranarayanan
2. K.Mani
3. Valliyammal
4. Saroja
5. Esakkiyappan
6. Eswarammal
7. Rasammal
8. P.Krishnan
9. Lakshmi
10. Krishnaveni
11. Nagarathinam
12. Mani
13. Arumugam

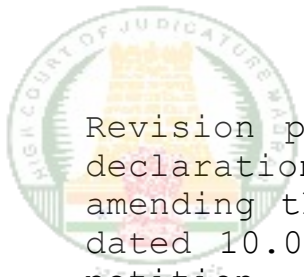
... Respondents/Respondents/
Defendants

PRAYER : Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair order and decretal order dated 10.07.2018 passed in I.A.No.283 of 2018 in O.S.No.285 of 2016 on the file of the learned II Additional Sub Court, Nagercoil, Kanyakumari District, by allowing this Civil Revision petition.

For Petitioners : Mr.G.Ramanathan
For R-2 : Mr.R.Murugan
For R-1, R-3 &
R- 5 to R-8 &
R-10 & R-13 : No appearance.

O R D E R

<https://hcservices.ecourts.gov.in/hcservices/>
The plaintiffs in O.S.No.285 of 2016 on the file of the II Additional Sub Court, Nagercoil, Kanyakumari District, are the



Revision petitioners herein. It is a suit for partition and for declaration. In the said suit, I.A.No.283 of 2018 was filed for amending the plaint. The Court below dismissed the same by order dated 10.07.2018. The same is questioned in this Civil Revision petition.

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2. Heard the learned counsel on either side.

3. It is seen that it is a pre-trial amendment. Therefore, an indulgent approach is warranted. It is also seen that by permitting the amendment in question, the character of the suit will not be altered.

4. Therefore, the order impugned in this Civil Revision petition is set aside. The Civil Revision petition stands allowed, accordingly. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS-I)

To

1. The II Additional Subordinate Judge,
Nagercoil, Kanyakumari District.
2. The Record Keeper, V.R.Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

+ 1 CC TO MR.G.RAMANATHAN, ADVOCATE IN SR NO.85726
+ 1 CC TO MR.R.MURUGAN, ADVOCATE IN SR NO.85466

PMU

BU/RSK/SAR-I :17.10.2018 : 2P/6C

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