



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.10.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P.(MD) (PD)No.2387 of 2018

and

C.M.P.(MD)No.10672 of 2018

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The Managing Trustee,
Arulmigu Sri Nirathala Mudaiya
Ayyanar Sonaiyasamy Temple,
Keelkarai,
Manamadurai Town,
Manamadurai Taluk,
Sivagangai District.

... Petitioners

/Vs./

1.M.Ramalingam

2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Administrative Section,
Sivagangai, Sivagangai Taluk,
Sivagangai District.

3.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Administrative Section,
Nungambakkam, Chennai - 600034,
Chennai Metropolitan City.

4.The Thasildar,
Taluk Office,
Sipcot, Manamadurai,
Manamadurai Taluk,
Sivagangai District.

5.The Executive Officer,
Selection Grade Panchayat Office,
Manamadurai Town, Manamadurai Taluk,
Sivagangai District.

6.The District Collector,
Collectorate,
Maruthupandiar Nagar,
Sivagangai, Sivagangai District.

... Respondents

Prayer: Civil Revision Petition - filed under Article 227 of the Constitution of India, to set aside the fair order and decretal order dated 17.07.2018 made in I.A.No.37 of 2018 in O.S.No.26 of 2016 on the file of the learned Additional District Munsif cum



Judicial Magistrate, Manamadurai, Sivagangai District.
For Petitioner : Mr.G.Gomathi Sankar
For R-2 to R-6 : Mr.M.Karuppasamy
Government Advocate

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ORDER

The first defendant in O.S.No.26 of 2016 on the file of the Additional District Munsif, Manamadurai is the revision petitioner herein. The grievance of the petitioner is that the IA for amendment of the plaint has been erroneously allowed by the Court below, since the very incorporation of the proposed prayer is unnecessary and it has already been considered by the High Court in a writ petition.

2. I am of the view that since the trial is yet to commence and the character of the suit is not altered, the order impugned in this CRP need not be interfered with. Hence, this civil revision petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is dismissed.

Sd/

Assistant Registrar(W)

/True copy/

Sub Assistant Registrar(CS-IV)

To

THE ADDITIONAL DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
MANAMADURAI, SIVAGANGAI DISTRICT

+1cc to Mr.G.GOMATHI SANKAR, Advocate, SR.No.92528

+1cc to M/s.Special Government Pleader, SR.No. 92957

Order made in
C.R.P. (MD) (PD) No.2387 of 2018
29.10.2018

SM

KK/BK/SAR-4/26.12.2018/2P-4C