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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 03.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
C.R.P. (PD) (MD) .No.1828 of 2018

and

C.M.P. (MD) No.8009 of 2018

Lakshmi

... Petitioner/Petitioner/Plaintiff

Vs.

Samivel

... Respondent/Respondent/Defendant

PRAYER: Petition filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 23.07.2018, passed in I.A.No.798 of 2018 in O.S.No.275 of 2008 on the file of Additional District Munsif Court, Dindigul.

For petitioner : Mr.M.P.Senthil

ORDER

The plaintiff in O.S.No.275 of 2008 on the file of Additional District Munsif, Dindigul is the revision petitioner herein. This is a suit for declaration and permanent injunction. The plaintiff filed I.A.No.798 of 2018 for amending the plaint. The same was dismissed by order dated 23.07.2018. This order is questioned in this Civil Revision Petition.

2.Heard the learned counsel for the petitioner.

3.This Court is of the view that the Court below rightly dismissed the I.A.No.798 of 2018. The suit is of the year 2008. The amendment petition was taken out in the year 2018. By then, the suit has progressed to the stage of arguments. Taking note of the belated nature of the application, the Court below was justified in dismissing the same. This Court finds no ground to interfere with the order impugned in this Civil Revision Petition.

4.At this stage, the learned counsel appearing for the revision petitioner pointed out that he only wanted to alter the description of the suit property by referring to the basic documents. If that be so, it is open to the revision petitioner to bring the same to the notice of the Court below. The Trial Magistrate will definitely bear this in mind while disposing the



5. With this observation, this Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar (CS-III)

Sub Assistant Registrar (CS-IV)

To:

1. Additional District Munsif,
Dindigul.

2. The Record Keeper,
VR Section,
Madurai Bench of Madras High Court,
Madurai. (2 copies)

+1CC TO MR.M.P.SENTHIL ADVOCATE IN SR.NO.81993.

PNN

DS SV SAR-4 05.10.2018 2P/5C

ORDER MADE IN
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and
C.M.P. (MD) No.8009 of 2018

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