



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 25.09.2018
CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (PD) (MD) .No.2084 of 2018
and
C.M.P. (MD) No.9217 of 2018

Amirthavalli ... Petitioner

Vs.

1.Antonyraj

2.Nagasubbu

3.The Executive Officer,
Thiruppathur Panchayat,
Thiruppathur Town, Sivagangai District.

4.The Tahsildar,
Thiruppathur,
Sivagangai District.

5.The District Collector,
Sivagangai District.

... Respondents

PRAYER: Petition filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order passed in I.A.No.654 of 2017 in O.S.No.128 of 2011 on the file of the District Munsif cum Judicial Magistrate, Thiruppathur dated 31.01.2018.

For petitioner : Mr.P.Venkatasubramanian

For R3 : Mr.J.Gunaseelan Muthiah
Additional Government Pleader

For R4 and R5 : Mr.M.Karuppasamy
Government Advocate

ORDER

The first defendant in O.S.No.128 of 2011 on the file of the District Munsif cum Judicial Magistrate, Thiruppathur, is the revision petitioner herein. The plaintiff had filed I.A.No.654 of 2017 for amending the plaint. The same was allowed by the Court below. The order permitting such an amendment is questioned in this Civil Revision Petition.



2.The learned counsel appearing for the revision petitioner fairly submitted that the amendment application was filed prior to the commencement of the trial.

3.Therefore, I am of the view that the matter does not call for any interference. Ofcourse, the defendant is entitle to file additional written statement raising appropriate defences, in view of the amendment that has been permitted.

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

Sd/-

Assistant Registrar(AD-I)

/True Copy/

Sub Assistant Registrar(CS-IV)

To:

The District Munsif cum Judicial Magistrate,
Thiruppathur.

Copy To:

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

+1CC to Mr.P.Venkatasubramanian, Advocate, SR.No.86656

+1CC to the Special Government Pleader SR.No.86709

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PNN

ES/SKN/RSK/SAR 4/25.10.2018/2P/6C