

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CIVIL REVISION PETITION No. 2074 OF 2018

ORDER :

This Revision is directed against the order dated 20.01.2018 dismissing I.A.No. 896 of 2017 filed under Order VI Rule 17 read with Section 151 of the Code of Civil Procedure seeking permission to amend the plaint.

The petitioner – plaintiff filed O.S. No. 770 of 2008 on the file of the Principal Junior Civil Judge's Court at Anantapuramu claiming damages @ Rs.1,00,000/- for loss of reputation on account of the defamatory statement made against him which was published in the newspaper.

By way of the present Application, the petitioner sought to amend the plaint claiming damages at Rs.2 lacs in view of the increase in pecuniary jurisdiction of the Court below to Rs. 3 lacs. The learned Judge finding favour with the argument of the learned counsel for the respondents that the petitioner failed to explain the reason what prevented him from filing the suit before the Senior Civil Judge's Court, if he intended to claim damages of Rs.2,00,000/-, opined that the petitioner has filed the present Application only to drag on the suit, which reached the stage of arguments, and dismissed the said Application.

Heard learned counsel for the petitioner.

Admittedly, the suit is at the stage of arguments. In view of the catena of judgments rendered by the Supreme Court holding that no amendment to the pleadings can be allowed, after commencement of trial, the dismissal of the Interlocutory Application, which was taken out to amend the plaint seeking

enhancement of damages, cannot be found fault with, in any manner.

In those circumstances, this Court finds no reason warranting interference with the order under Revision. Hence, the Civil Revision Petition is devoid of merit and it is accordingly, dismissed. No costs.

Consequently, the miscellaneous Applications, if any shall stand closed.

CHALLA KODANDA RAM, J

13th April 2018

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