

A.No.491 of 2020
in
A.No.3783 of 2009
in
C.S.No.306 of 2002

M.SUNDAR.J.,

This Court is informed that main suit is a partition suit and that a compromise decree came to be passed on 24.04.2008. Post compromise decree, the second defendant Smt.Mangaleswari died and this Court is informed that date of demise is 07.12.2008.

2.Be that as it may, name of the fourth defendant, which originally read as Mrs.R.Nityakalyani, was amended as B.Kalyani vide order dated 04.08.2018 made in A.No.3547 of 2008 followed by another order dated 20.10.2008 in A.No. 4751 of 2008, necessary and consequential amendments in this regard have also been carried out. Instant application has been taken out by the fourth defendant in the suit i.e., B.Kalyani.

3.From hereon parties in the instant application shall be referred to by their respective ranks in the main suit for the sake of convenience and clarity.

4.Mr.K.Sundar, learned counsel for fourth defendant, Ms.Vasudha Thiagarajan, learned counsel for plaintiff and Mr.D.Saravan, learned counsel for first defendant are before this Court.

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5. Instant application has been filed with the following prayer:

*'To order amendment of cause title in A.No.3782 of 2009 in
C.S.No.306 of 2002'*

6. Plaintiff submits that there is no opposition or objection to instant application and it is pointed out that the prayer in instant application is not only innocuous, but imperative for this suit to be carried to its logical end and for parties to taste the fruits of the decree.

7. Having perused the affidavit filed in support of instant application, having heard the aforesaid learned counsel and having set out that the prayer, which is not only innocuous, but imperative, the prayer is acceded to. In other words, instant application is ordered as prayed for.

6. Necessary and consequential amendments to be carried out within a fortnight from today i.e., on or before 20.02.2020 and amended copies to be furnished to all concerned within a week therefrom i.e., by 27.02.2020.

06.02.2020

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