

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2021

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CRP.NPD.No.2641 of 2016

M.Kalai Vani

..Petitioner

Vs.

1.M.Vennila

2.N.Karthiyanani

3.M.Elango

4.R.Muthukumaran

..Respondents

PRAYER:

The Civil Revision Petition is filed under Section 115 of CPC against the fair and decretal orders dated 09.06.2016 in IA.No.669 of 2015 in IA.No.709 of 2012 in OS.No.166 of 2011 on the file of the II Additional District Judge's Court, Erode.

For Petitioner : Mr.A.Kundavai

For Respondents : No appearance

ORDER

This civil revision petition is filed against the fair and decretal orders dated 09.06.2016 in IA.No.669 of 2015 in IA.No.709 of 2012 in OS.No.166 of 2011 on the file of the II Additional District Judge's Court, Erode thereby dismissing the petition sought for amendment of the compromise decree dated 26.11.2012.

2. Though notice was served to the respondents, no one appeared on behalf of the respondents before this Court in person or through pleader.

3. The amendment sought for insofar as Item No.1 of 'C' Schedule was to add the schedule of the property given in the compromise decree dated 26.11.2012 in OS.No.166 of 2011. Further amendment sought for is the description given in the anterior sale deeds dealing with the 'C' Schedule property and the properties described in the decree. Further there is no objection from the respondents about the description, measurement, address etc. in the amendment sought for. That apart, it is just to add the description of the property as given in the antecedent title deeds pertaining to the property. The amendment also would not in any way in violation of the compromise decree dated 26.11.2012. On perusal of item No.4 of the 'C' Schedule property revealed that boundaries were not given in the original decree.

4. In view of the above discussion, this civil revision petition is allowed and the order dated 09.06.2016 in IA.No.669 of 2015

in IA.No.709 of 2012 in OS.No.166 of 2011 on the file of the II
Additional District Judge's Court, Erode is set aside. No order as to costs.

26.02.2021

Speaking/Non-speaking order

Index : Yes/No

Internet : Yes/No

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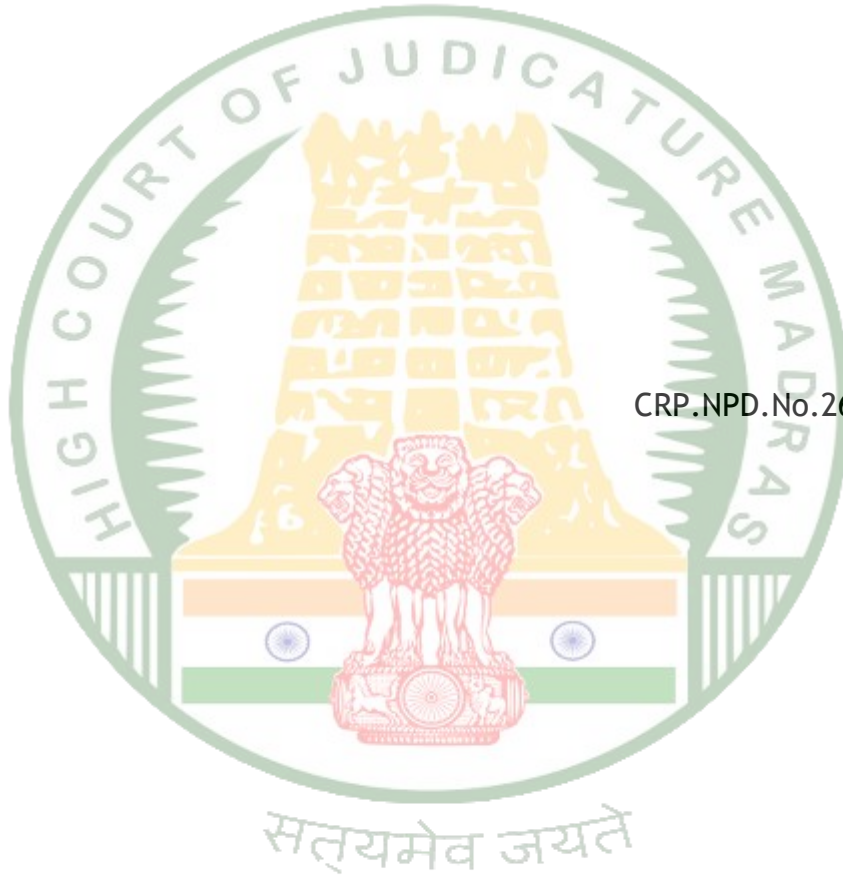
The II Additional District Judge,
Erode.



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G.K.ILANTHIRAIYAN,J.

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