

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2021

CORAM

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

C.R.P.(PD)No.2392 of 2018
and C.M.P.No.14754 of 2018

1. Palanisamy
Natesan (died)
2. Vijaykannan
3. Cibi
4. Saranya

... Petitioners

Vs.

A.S.Nallusamy

... Respondent

Prayer :- Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 19.06.2018, made in I.A.No.297 of 2018 in I.A.No.294 of 2018 in O.S.No.100 of 2018 on the file of the learned Additional District Munsif, Namakkal.

For Petitioners : Mr.N.Suresh

For Respondent : Mr.N.Manokaran

ORDER

The Civil Revision Petition is directed as against the fair and decreetal order dated 19.06.2018 passed by the learned Additional District Munsif, Namakkal, in I.A.No.297 of 2018 in I.A.No.294 of 2018 in O.S.No.100 of 2018, thereby allowing the petition for amendment.

2. The petitioners are the defendants in the suit filed by the respondent. The respondent filed suit in O.S.No.100 of 2018 for declaration and also for permanent injunction in respect of the suit property. The said suit has been filed by the respondent in the capacity of representative of Maniyankula Kudipattu Pangaligal of worshipers of Thottiya Karuppanna Samy temple represented by its temporary Dharmakartha A.S.Nallusamy. The respondent filed petition under Order 1 Rule 8(1) of C.P.C., seeking permission to represent and mention him as representative for Thottiya Karuppanna Samy Temple as Dharmakartha and also for the members of the Maniyankula Kudipattu Pangaligal. Therefore, the respondent filed petition for amendment to amend the suit prayer as mentioned in the plaint cause title. The trial Court allowed the petition, since it would not change the

nature of the suit and also would not cause any prejudice to the petitioners.

This Court finds no infirmity or illegality in the order passed by the Court below.

3. Accordingly, this Civil Revision Petition stands dismissed. There shall be no order as to costs. Consequently connected miscellaneous petition is closed.

15.04.2021

Internet : Yes

Index : Yes/No

Speaking order/Non-speaking order

rts

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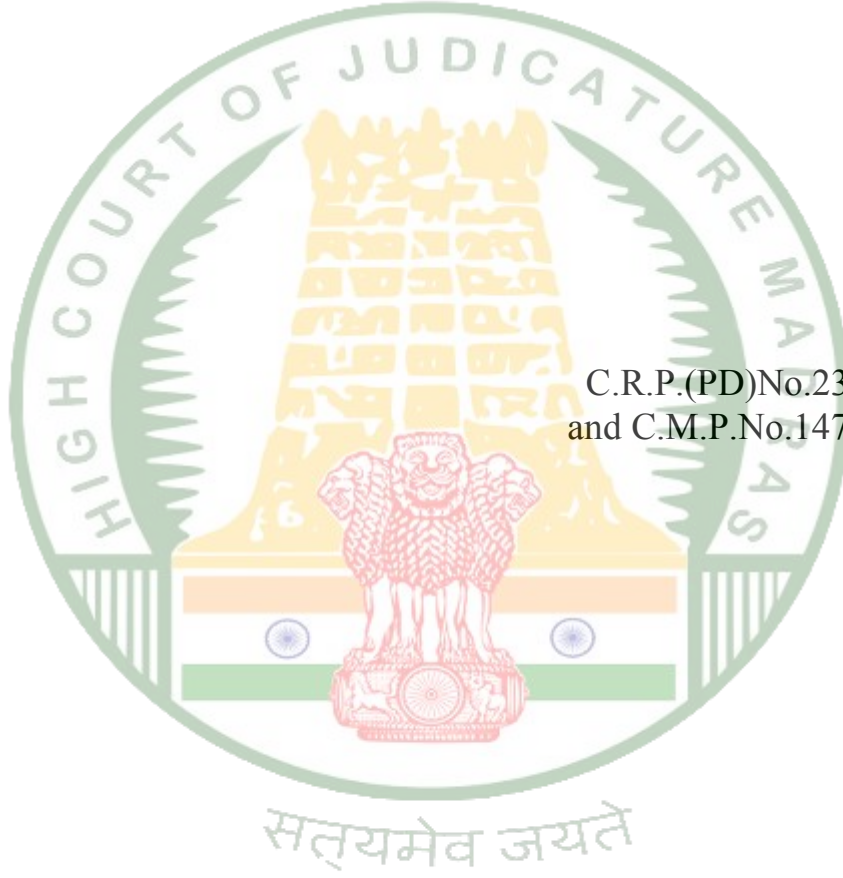
1. The Additional District Munsif,
Namakkal

2. The Section Officer,
V.R. Section,
Madras High Court,
Chennai.

C.R.P.(PD)No.2392 of 2018

G.K.ILANTHIRAIYAN, J.

rts



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