

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.06.2021

CORAM

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

CRP.PD.No.2843 of 2018 and
CMP.No.16722 of 2018

M.Ekambaram

..Petitioner

Vs.

- 1.N.Adhisheshayya Chetti
- 2.N.Sekar
- 3.N.Santhosh @ Santhoshkumar
- 4.Banupriya
- 5.N.Janardhanan
- 6.Kamala
- 7.Vanaja
- 8.Guruvammal
- 9.Guruvappa
- 10.Prakasam
- 11.Kumari
- 12.Kasthuri
- 13.A.Mani
- 14.K.Sekar Naidu
- 15.The Junior Engineer,
TNEB Arani, Ponneri Taluk
- 16.The Superintendent Engineer,
TNEB Anna Salai, Chennai-2
- 17.The Tahsildar,
Uthukottai Taluk,
Uthukottai
- 18.The District Collector,
Tiruvallur District,
Tiruvallur

..Respondents

PRAYER:

The Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the order of dismissal passed in IA.No.242 of 2018 in OS.No.284 of 2007 dated 14.08.2018 by the learned District Munsif cum Judicial Magistrate at Uthukottai, Thiruvallur District.

For Petitioner : Mr.T.P.Sekar

For Respondents

For R1 to 13 : Mr.S.N.Subramani

For R14 : Mr.P.Dhananjayan

For R15 & 16: Mr.S.Viswanath

For R17&18 : Dr.S.Suriya,
Government Advocate(CS)

ORDER

This Civil Revision Petition is filed against the order of dismissal passed in IA.No.242 of 2018 in OS.No.284 of 2007 dated 14.08.2018 by the learned District Munsif cum Judicial Magistrate at Uthukottai, Thiruvallur District, thereby dismissing the petition for amendment to include the prayer of declaration.

2. The petitioner is the plaintiff and the respondents are the defendants. The petitioner filed suit in the year 2007 for permanent injunction. Written statement was also filed in time. After period of eleven years, the petitioner come forward with the petition to amend the plaint to include the prayer of declaration declaring that the sale

deed stands in the name of the fourteenth defendant as null and void. The suit was filed on 08.05.2007. Even at the time of filing the suit, the plaintiff had knowledge about the sale deed executed in favour of the fourteenth defendant dated 01.09.2006. In fact, he also categorically mentioned about the same in the plaint. Even they, they failed to seek any relief to set aside the said sale deed. Therefore, the court below rightly dismissed the petition and this Court finds no infirmity or illegality in the order passed by the court below.

3. Accordingly, this civil revision petition is dismissed. Consequently, connected miscellaneous petition is closed. No order as to costs.

29.06.2021

Speaking/Non-speaking order

Index : Yes/No

Internet : Yes/No

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सत्यमेव जयते

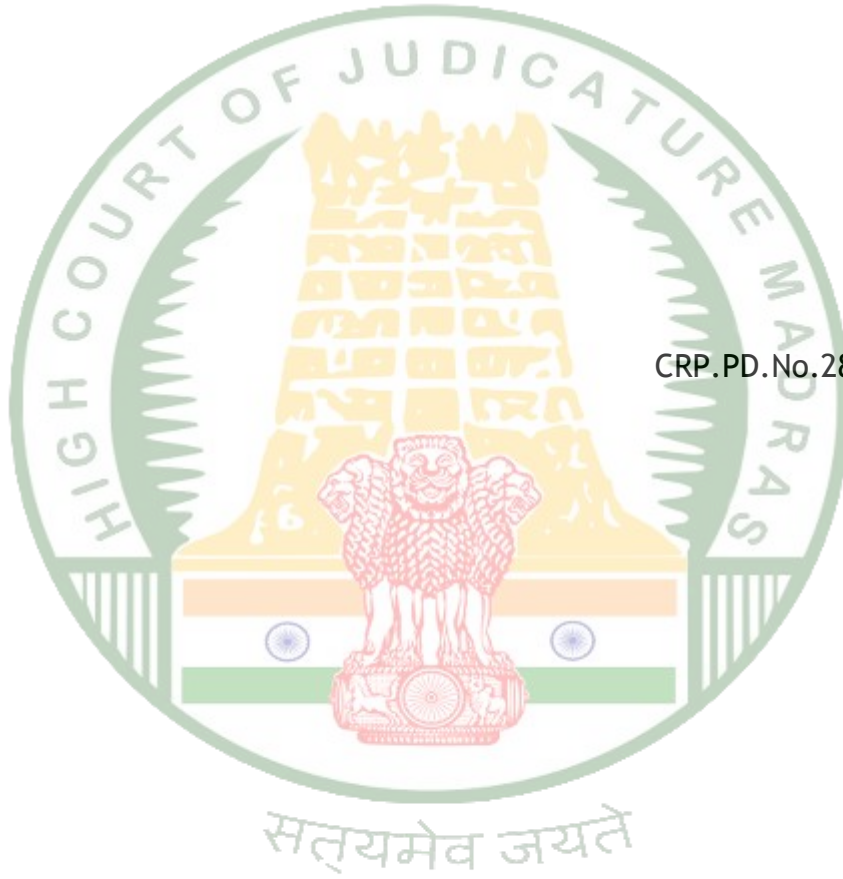
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G.K.ILANTHIRAIYAN,J.

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To

The District Munsif cum Judicial Magistrate
at Uthukottai, Thiruvallur District.



CRP.PD.No.2843 of 2018

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