

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2021

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

C.R.P.(PD).No.2851 of 2018
and C.M.P.No.16774 of 2018

Sarojini

... Petitioner

Vs

Kamatchi (Died)

1.Sidduraj

2.Shanthi

... Respondents

Prayer: Civil Revision Petition filed under Article 227 of Constitution of India, against the Fair and Final Order dated 10.07.2018 passed by the Learned I Additional District Munsif, Salem in I.A.No.1651 of 2017 in O.S.No.454 of 2011.

For Petitioner : Mr.L.Mouli

For Respondents : Mr.R.Nalliyappan

ORDER

The Civil Revision Petition is filed against a Fair and Final Order dated 10.07.2018 passed by the Learned I Additional District Munsif, Salem, in I.A.No.1651 of 2017 in O.S.No.454 of 2011, thereby allowing the petition for amendment.

2. The petitioner is the defendant and the respondents are the plaintiffs. The respondents filed the suit for delivery of possession in respect of suit property. After examining the witness, when the suit was posted for Judgment, the respondents filed the petition seeking amendment in the suit schedule property to include the T.S.Number and the Street name.

3. On perusal of the plaint, it is revealed that the T.S.No. left it has mentioned the Door No.115 and not mentioning about the Street name. Therefore, the respondents filed a petition to include the T.S.No. as well as the Street name in the schedule of property. While allowing the amendment

petition, the trial Court mentioned as if the amendment petition was filed to amend the description of property to include the Door Number and street name.

4. The learned counsel for the petitioner would submit that the door number already mentioned in the plaint as 115. Therefore, it cannot be changed by way of amendment as a Door No.214.

5. On perusal of the amendment petition, it is only to amend to fill the T.S.No. and also to include the street name. Therefore, it is made clear that the amendment sought for by the respondent only to amend the T.S.No. as 214 and include the street name as Saniyar Street. There is no possession of amending the Door No. from 115 as mentioned in the plaint. The above clarification this Court finds no infirmity and illegality in the orders passed by the Court below.

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5. Accordingly, this Civil Revision Petition is dismissed. The trial Court is directed to dispose of the suit within a period of *twelve weeks* from

the date of receipt of a copy of this order. Consequently, the connected miscellaneous petition is closed. No order as to costs.

30.04.2021

Internet: Yes

Index: Yes/No

Speaking/Non speaking order
rna

To

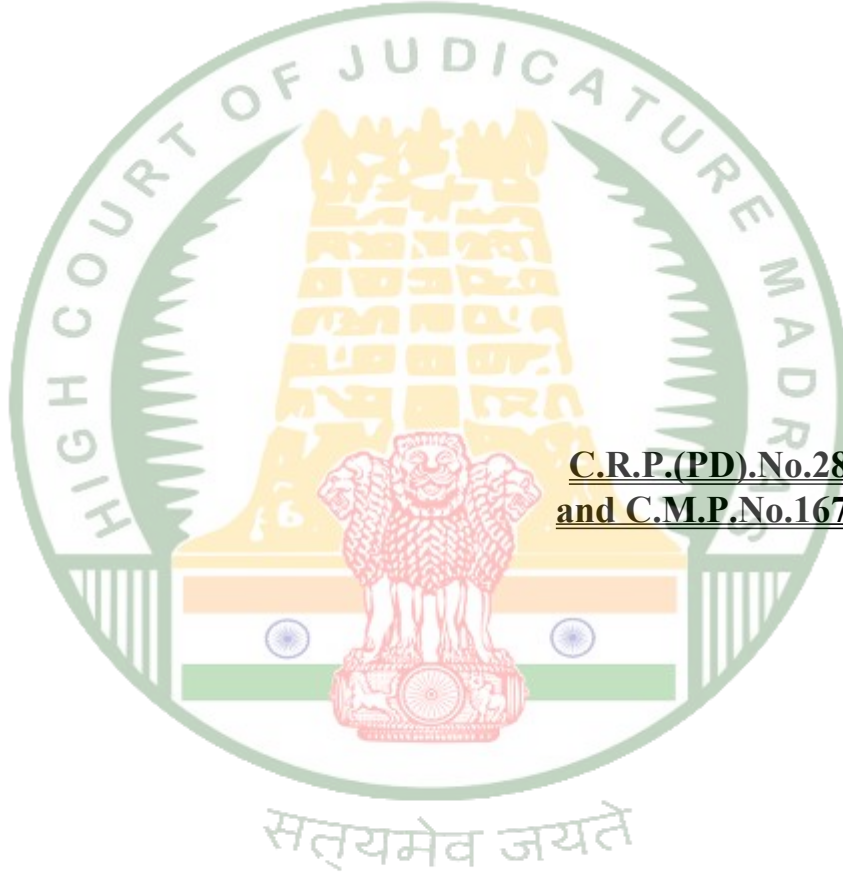
The I Additional District Munsif Judge,
Salem.



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G.K.ILANTHIRAIYAN. J,

rna



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