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C.R.P.(PD) No.1673 of 2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2022

CORAM

THE HONOURABLE Ms. JUSTICE R.N.MANJULA

C.R.P.(PD).No.1673 of 2022
and C.M.P.No.8328 of 2022

Shanmugham

... Petitioner

Vs.

1.Murugan
2.Duraikannu
3.Vinayagam

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India against the order and decreetal order dated 30.07.2021 passed by the learned District Munsif, Madurantakkam, Chengelpet District, dismissing I.A.No.5 of 2021 in O.S.No.73 of 2016.

For Petitioner : Mr.N.Nagu Sah

ORDER

This Civil Revision Petition has been filed, challenging the order of the learned District Munsif, Madurantakkam, Chengelpet dated 30.07.2021 made in I.A.No.5 of 2021 in O.S.No.73 of 2016.



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2. The petitioner is the first defendant in the suit. After filing his written statement, he has filed a petition to amend the written statement by filing an amendment petition in I.A.No.5 of 2021 and the same was dismissed. Aggrieved over that, the petitioner/first defendant has preferred this petition.

3.The learned counsel for the petitioner submitted that by way of amendment, the petitioner only sought to amend the village of his forefathers, as pleaded in the written statement and that would not cause any prejudice to the respondents.

4.The records would show that the petitioner has filed a petition to amend his written statement subsequent to his cross examination. After stating in his statement and also in his cross examination that his forefathers belonged to Indhalur Village, he wants his written statement to be amended now as per his whims. The learned trial Judge has rightly observed the admission given by the defendant and his ulterior intention to amend his written statement and thereby, dismissed the same. Hence, I do not find any ground for interference.



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5. Accordingly, the Civil Revision Petition is dismissed and the fair and decreetal order dated 30.07.2021 passed in I.A.No.5 of 2021 in O.S.No.73 of 2016, by the learned District Munsif, Madurantakkam, Chengelpet, is hereby confirmed. No Costs.

10.06.2022

Index : Yes/No
Speaking Order : Yes / No
vkr

To

1. The District Munsif,
Madurantakkam.
2. The Section Officer,
VR Section, Madras High Court,
Chennai.



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R.N.MANJULA, J.,

vkr

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