



CRP(PD)No.983/2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.04.2022

CORAM:

THE HON'BLE Mr. JUSTICE N.SESHASAYEE

C.R.P(PD)No.983 of 2022
& CMP.Nos.5096 of 2022

Chinnappan

... Petitioner

Vs.

Kamala

... Respondent

PRAYER: The Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside order dated 04.01.2022 passed in I.A.No.1 of 2021 in O.S.No.103 of 2018 by the learned Additional Special Judge, Krishnagiri.

For Petitioner : Mr.S.M.Muralidharan



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ORDER

The Revision Petitioner herein is the defendant in O.S.No.103 of 2018. The suit is laid for cancellation of a certain sale deed executed by the plaintiff in favour of the defendant on grounds of fraud. According to the plaintiff, he had borrowed a sum of Rs.4,00,000/- from the defendant, which is repayable with interest at 18% p.a., and that he only intended to execute some security documents, and later it was discovered to be a sale deed. Hence, he had come forward with the suit. Subsequently, the plaintiff has taken out an application in I.A.No.1 of 2021 for amending the plaint. The amendment sought is with an aim to introduce his intent to repay the debt, which according to him is repayable by him to the defendant with interest and for re-conveyance of the property by the latter to the former. This amendment was allowed by the trial Court and hence, the defendant is before this Court with this Revision.

2.Heard the learned counsel for the revision petitioner.

3.This Court finds that the present amendment neither alters the character of the suit nor, in any way the interest of the defendant.



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4. In fine, this Court finds that the order of the trial Court is in order and does not warrant an interference. Accordingly, the Civil Revision Petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

06.04.2022

Index : Yes/No
Internet : Yes / No
Speaking /Non Speaking
Tsg

To

The Additional Special Judge,
Krishnagiri.



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N.SESHASAYEE, J.,

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