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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

MONDAY, THE 4TH DAY OF APRIL 2022

THE HON'BLE MR. JUSTICE P.VELMURUGAN

A.No.1487 of 2022

in

C.S. No.682 of 2018

S.SHRI SUBITHA

W/o.Dr.Saravanan,

No.4/315, CLRI Nagar Road,

Ruby Complex Road,

Neelangarai, Chennai-600 115

... Applicant / Plaintiff

-Vs-

1. Mrs.P.MARIAMMAL

W/o.Late N.Pitchaimani,

B-15, Guhaas Apartments,

Thiruvalluvar Salai,

Thiruvanmiyur, Chennai-600 041

2.Mr.P. SAKTHIKUMAR,

S/o.Late N.PITCHAIMANI

B-15, Guhaas Apartments,

Thiruvalluvar Salai,

Thiruvanmiyur,

Chennai-600 041

3.Mrs ADHILAKSHMI,

W/O.SENTHIL

Flat No.71, Chaand Towers,



L.B. Road, Thiruvanniyur,
Chennai-600 041

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4. Mrs. VIJAYALAKSHMI,
W/o. BALAJI
Plot No11, 1st Floor, Natco Colony,
Kottivakkam, Thiruvanniyur,
Chennai-600 041.

5. Mr.A. JEYARAMAN,
S/o ALAGARASAMY,
16/9, 11th Lane, Indira Nagar,
Adyar, Chennai-600 020

6.Mr.A. GANESA PANDIYAN,
S/o ALAGARASAMY
1/404, Vembuliamman Kovil Street,
Kottiwalkam, Chennai-600 041

7.Mr. S. ALAGARASAMY
17, Kamaraj Nagar, Opp, BRIL Ink,
Thiruvanniyur, Chennai-600 041

8.M/s. RAMANIYAM REAL ESTATES PVT. LTD.,
No.17/35, 2nd Main Road,
Gandhi Nagar, Adyar, Chennai-600 020

9. JEYANTHI JEWELLERS
No.69, L.B. Road (Near Thiruvanniyur Signal),
Thiruvanniyur, Chennai-600 041

10. AMIRTHA ICE CREAM COMPANY
No.69, L.B. Road,(Near Thiruvanniyur Signal),
Thiruvanniyur, Chennai-600 041

11. JAI SPORTS
No.69, L.B. Road,
(Near Thiruvanniyur Signal),
Thiruvanniyur, Chennai-600 041

12. GAJENDRA RUBBER STAMP WORKS,
No.69, L.B. Road,



(Near Thiruvanmiyur Signal),
Thiruvanmiyur, Chennai-600 041

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13. MERCY ELECTRONICS,
No.69, L.B. Road,(Near Thiruvanmiyur Signal),
Thiruvanmiyur, Chennai-600 041

14. SAI GANESH ENTERPRISES,
No.69, L.B. Road,(Near Thiruvanmiyur Signal),
Thiruvanmiyur, Chennai-600 041.

15.Mr.MUTHU KUMAR
No.69, L.B. Road,(Near Thiruvanmiyur Signal),
Thiruvanmiyur, Chennai-600 041

16. KONICA SILVER COLOR LAB
No.69, L.B. Road,(Near Thiruvanmiyur Signal),
Thiruvanmiyur, Chennai-600 041.

17. DARSHAN OPTICS
No.69, L.B. Road,(Near Thiruvanmiyur Signal),
Thiruvanmiyur, Chennai-600 041

18. INDUS TOWERS LTD.,
No.5, ESSPEE IT PARK,
Jawaharlal Nehru Street,
(Opp Jaya TV), Ekkatuthangal,
Chennai-600 032

19. TUMMY TICKLE
361, OMR ESCAPADE,
Madha Kovil Street,
Okkiam Thoraipakkam,
Chennai-600 096

20. CRICKET DROME
361, OMR ESCAPADE,
Madha Kovil Street,
Okkiam Thoraipakkam,
Chennai-600 096.



21. ACADEMY OF INDIAN MUSIC AND ARTS

361, OMR ESCAPADE,
Madha Kovil Street,
Okkiam Thoraipakkam,
Chennai-600 096

22. KRIYATES RECREATION CLUB

361, OMR ESCAPADE, Madha Koil Street,
Okkiam, Thoraipakkam,
Chennai-600 096

23. MAS SCHOOL

361, OMR ESCAPADE,
Madha Kovil Street,
Okkiam Thoraipakkam,
Chennai-600 096

24. KARATE TRAINING CENTRE

361, OMR ESCAPADE,
Madha Koil Street,
Okkiam Thoraipakkam,
Chennai-600 096

25. MR. RANJITH BABA

361, OMR ESCAPADE,
Madha Kovil Street,
Okkiam Thoraipakkam,
Chennai-600 096

26. RK CENTRING

5/534, Mada Kovil Street,
Vivekananda Nagar,
Okkiam Pettai, Thoraipakkam,
Old Mahabalipuram Road,
Chennai-600 096

27. Mr.KARUPIAH

WARD 14, Veerammal Tea Shop,
Kodaikanal Main Road, Dindigul District,
Pannaikadu-624210



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Application praying that this Hon'ble Court be pleased to AMEND THE PLEADINGS in the above Suit Plaintiff by inserting:-

This application coming on this day before this court for hearing the court made the following order:

This application has been filed to permit the petitioner to amend the pleadings in the above suit.

2.Mr.J.Ashok, learned counsel, who has entered appearance on behalf of the applicant/plaintiff submitted that the earlier counsel had brought certain pleadings in the plaint, which were not exhaustive to substantiate the case of the plaintiff and hence, he has come forward with the present application seeking amendment in the pleadings in the above suit.

3. The learned counsel for the defendants 1 and 2 submitted that all the averments made in the present application are already set out in the original plaint and suit was ripe for trial. At this stage, only in order to protract the entire proceedings in the above suit, the applicant/plaintiff has filed the present application.

4. Heard both sides and perused the materials available on record.



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5. A careful reading of the entire materials reveals that the averments which were put forth by the applicant are already narrated in the original plaint. Further, the plaintiff's father was hospitalised and died in the year 2015; the alleged Settlement Deed was executed in the year 2015; and the fraudulent act committed by the 2nd defendant and his accomplice had come to the knowledge of the plaintiff in the year 2016; a criminal case was registered on 29.11.2016 and the above suit was filed in the year 2018. All these facts are narrated in the original plaint itself. However, now the change of counsel had some opinion to change the language may not be a reason to amend the plaint.

6. In view of the above, there is no merit in this application and the same is liable to be dismissed. Accordingly this application is dismissed.

Sd./-PVJ.

04/04/2022

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

EVK 08/04/2022