



A.No.2851 of 2022

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C.V.KARTHIKEYAN,J.,

The present application has been filed seeking to permit the plaintiffs to amend the plaint, by incorporating two further payments made to two named brokers, Arul and Kabali, to whom, a sum of Rs.1,50,000/- each had been paid by way of cheque on 01.03.2016 and 29.03.2016 respectively.

2. In the plaint there is a tabular column given in which to the expenses incurred had been mention about payments made to the brokers.

3. But it is stated by the learned counsel for the plaintiffs that the cheque payments of Rs.1,50,000/- paid to each one of the two brokers separately on 01.03.2016 and 29.03.2016, had not been incorporated in the plaint.

4. Leaving the burden to prove such payments on the plaintiffs to be established during the course of trial, since, there is no shift in the cause of action and since, it is part on the existing cause of action with respect to institution of the suit, I would allow the application and permit such amendment to be carried out as stated in the Judges summons to the application.



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5. The application stands allowed. However, a caveat is placed in view of the valuation of the plaint being increased, necessary Court fees will have to be paid on such increased amount.

14.11.2022
(1/2)

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