

**Application No.4025 of 2022****in C.S.No.349 of 2021****C.V. KARTHIKEYAN, J.**

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This application has been filed by the plaintiff, who has filed the suit seeking compensation of a sum of Rs.1,00,00,100/- as against the defendants to pay that sum jointly and severally and other reliefs for permanent injunction and mandatory injunction.

2. There are about ten defendants. There were several applications filed in the nature of interim injunction applications. When copies were served, some of the defendants have protested stating that they have not been properly described and have been wrongly described. This has necessitated the plaintiff to come forward with this application to correct the errors in the description of the defendants particularly the 2nd, 6th, 7th, 9th and 10th defendants. It is represented by the learned counsel for the 10th defendant that a new entity is sought to be impleaded. However, let me overcome that particular statement and bring the correct defendant on record, who can provide the relief sought by the plaintiff or who can object to any relief sought by the plaintiff. Proceeding with the suit in the name of the wrong defendant would not be the advantage of either the plaintiff or the 10th defendant.



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3. It is seen that in the affidavit filed in support of this particular application, the plaintiff had stated that the 1st defendant had filed the written statement disowning the 2nd defendant and claiming that his son was the owner of the facebook page described as the 2nd defendant.

4. It is also stated that the 6th and 7th defendants have filed written statements claiming that there are mistakes in the manner in which they are addressed.

5. The 9th and 10th defendants have also taken a similar stand.

6. In view of that particular fact in order to avoid multiplicity of applications at a later stage and in order to avoid any technical objections taken, it is only appropriate that the plaintiff amends the plaint to describe the defendants properly in both the short cause title and the long cause title and also in the statement of address.

7. I have heard the learned Senior Counsel and the Counsels.



8. I hold that allowing this application will not prejudice the interest of any of the defendants, particularly the 10th defendant, since, protection can be given by directing the plaintiff to issue suit summons to the 10th defendant as correctly now described.

9. In view of these reasons, the application stands allowed.

10. Plaintiff to carry out necessary amendment within a period of two weeks and file amended copy of the plaint and serve such amended copy of plaint incorporating all the paragraphs as found in the plaint filed before this Court to each one of the learned counsels for the defendants, whether written statements have been filed or not.

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