



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Monday, the Twenty Eighth day of March Two Thousand and Twenty Two

PRESENT

The Hon`ble Ms.Justice R.N.MANJULA

CMP(MD) No.2507 of 2022

in

A.S.(MD).No.65 of 2016

1. SATHESH KUMAR

2. NANDINI @ DURGADEVI

... PETITIONERS/APPELLANTS

Vs

1. VELLAIAMMAL

2. A.P.K.SELVARAJ

3. RANGEESWARI

4. PADMAVATHI

5. ARUMUGAM

6. A.P.VELUSAMY (DIED)

7. PERIYASAMY

8. SUNDARAM

9. PALANIVEL GOUNDER (DIED)

10.A.P.V.RAMARAJ (DIED)

11.RAJALAKSHMI

12.RENGAMMAL

... RESPONDENTS/RESPONDENTS

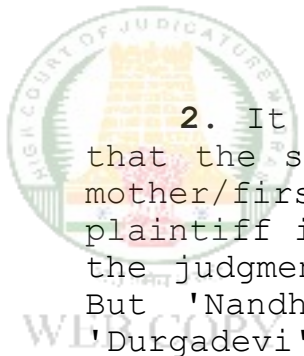
Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to amend the 2nd Appellant`s/2nd plaintiff`s name in the plaint, Judgment and decree in the original suit and the appeal memorandum as Nandhini alias Durga Devi, instead of Nandhini.

PRAYER in A.S.(MD).No.65 of 2016 :

Pleased to call for the records and set aside the judgement and decree dated 25.08.2005 in O.S.No.261 of 2004 on the file of the Fast Track Judge, Dindigul and decree the suit by allowing the appeal with costs throughout.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.H.LAKSHMI SHANKAR, Advocate for the petitioners the court made the following order:-

This Civil Miscellaneous Petition has been filed to amend the name of the second appellant/second plaintiff in the plaint, judgment, decree in the Original Suit and in the appeal memorandum as 'Nandhini alias Durgadevi', instead of Nandhini.



2. It is represented by the learned counsel for the petitioner that the second appellant/ second plaintiff was represented by her mother/first plaintiff and the name of the second appellant/second plaintiff is mentioned as 'Nandhini' in the plaint and therefore, in the judgment and decree also, her name is mentioned as 'Nandhini'. But 'Nandhini' is her 'alias' name only, her original name is 'Durgadevi'. Hence, he filed this amendment petition.

3. The learned counsel for the petitioner would further submit that earlier, in the ration card also, her name was mentioned as 'Nandhini' but later, on request, it has been corrected as 'Durgadevi'. He has produced a copy of the ration card to prove the same. In the Adhar Card and Transfer Certificate also, the name of the second appellant/second plaintiff is mentioned as 'Durgadevi' D/o Arumugam.

4. Heard both sides.

5. The learned counsel for the respondents has no objection to allow this amendment petition.

6. This Court has perused the records.

7. Though the second appellant/second plaintiff is known as 'Durgadevi' in her official records, her alias name 'Nandhini' is mentioned in the plaint, judgment, decree and in the appeal memorandum. It would cause unnecessary confusion and complications. So in order to rectify the same, I feel it is appropriate to amend her name in the above said relevant materials. In order to avoid further technical difficulties in identifying the second appellant/second plaintiff, her name is ordered to be amended as **'Durgadevi' (wrongly mentioned in the plaint, judgment, decree and the appeal memorandum as 'Nandhini').**

8. In the result, this petition is allowed.

9. The Registry is directed to amend the name of the second appellant/second plaintiff in the plaint, judgment, decree in the Original Suit and in the appeal memorandum as **'Durgadevi' (wrongly mentioned in the plaint, judgment, decree and the appeal memorandum as 'Nandhini').**

sd/-
28/03/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

THE FAST TRACK JUDGE,
DINDIGUL.

WEB COPY

ORDER

IN

CMP(MD) No.2507 of 2022 in
A.S.(MD).No.65 of 2016

Date :28/03/2022

vji

USK/PN/SAR-IV/25.04.2022/3P/2C