



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.04.2022

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**THE HONOURABLE MRS.JUSTICE S. ANANTHI**

C.R.P (MD) .Nos.680 and 681 of 2022 and  
CMP (MD) .No.2773 of 2022

1.Paramasivan  
2.Vijyamurugan  
3.Muthukumar : Petitioners / Appellants in both CRPS  
Vs.

1.Ganesan  
2.Chellammal  
3.Chakkaravarthi : Respondents / Respondents  
in CRP (MD) .No. 680/2022

1. Chellammal  
2. Chakkaravarthi  
3. Baskar  
4. Ramalakshmi : Respondents / Respondents  
in CRP (MD) .No. 681/2022

**COMMON PRAYER:-** Civil Revision Petitions filed under Article 227 of the Constitution of India against the fair and decretal order dated 07.01.2022 passed in I.A.Nos.9 and 10 of 2021 in A.S.No.4 of 2019 on the file of the District Judge, Tirunelveli.

For petitioners in both CRPs : Mr. S.P. Maharajan

**COMMON ORDER**

The revision petitioners / appellants filed these revisions to set aside the order, dated 07.01.2022 passed in I.A.Nos.9 and 10 of 2021 in A.S.No.4 of 2019 on the file of the District Judge, Tirunelveli.

2. Heard the learned counsel appearing for the petitioners and perused the materials available on record.

3. The said I.A.No.9 of 2021 filed by the petitioners to amend the plaint in O.S.No.83 of 2010. The said suit in O.S.No.83 of 2010 was dismissed in the year 2018. Against which, they have filed an appeal and in the appeal also they have filed I.A.No.10 of 2021 to amend the memorandum of appeal. The details of amendment is



to delete the word "ghf chpik" and add 21 Cents in Eastern side.

4. The plaintiffs cannot seek an amendment after disposal of the suit in the plaint and they have also filed an appeal in the year 2019. These said two Interlocutory Applications have been filed to amend the plaint and also the memorandum of appeal. The petitioners / plaintiffs admitted the right of the defendants as "ghf chpik:" , now, they want to delete the word. Further, the plaintiffs cannot file an amendment petition in the disposed suit. If at all the plaintiffs want to proceed with the amendment, they may file a proper petition by deleting the right of the defendants what has already admitted in the plaint. Now, the petitioners have argued that they have also amend the plaint after admitting the rights of the defendants.

5. So, both the Civil Revision Petitions are disposed of by setting aside the order, dated 07.01.2022 passed in I.A.Nos.9 and 10 of 2021 in A.S.No.4 of 2019 on the file of the District Judge, Tirunelveli. The petitioners are directed to file a fresh amendment petition before the Appellate Court. On such filing, the Appellate Court is directed to dispose the same on its own merits. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

**To**

The District Judge, Tirunelveli.

+1 CC to M/s.S.P.MAHARAJAN, Advocate ( SR-16653[F] dated 05/04/2022 )

C.R.P(MD).Nos.680 and 681 of 2022 and  
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MA(CO)  
KB(18.04.2022) 2P 3C