



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.04.2022

CORAM

WEB COPY

THE HONOURABLE MRS.JUSTICE S. ANANTHI

CRP(MD).No.690 of 2022 and
CMP(MD).No.2844 of 2022

St. Antony's Church

.. Petitioner / Respondent/
Defendant

Vs.

Anto

.. Respondent / Petitioner/
Plaintiff

Prayer: This Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the fair and decreetal order dated 17.02.2022 passed in I.A.No.1 of 2021 in O.S.No.20 of 2017 on the file of the Additional District Munsif, Padmanabhapuram.

For Petitioner : Mr. M.R. Sreenivasan

ORDER

The revision petitioner / defendant has filed this revision to set aside the order, dated 17.02.2022 passed in I.A.No.1 of 2021 in O.S.No.20 of 2017 on the file of the Additional District Munsif, Padmanabhapuram.

2. Heard the learned counsel appearing for the petitioner and perused the materials available on record. Though the private notice served on the petitioner, no one has appeared.

3. The said Interlocutory Application was filed by the respondent / plaintiff under Order VI Rule 17 CPC to amend the plaint by inserting the date of cause of action and the date of sale deeds made in favour of the petitioner. The trial Court has allowed the said application on the ground that the respondent / plaintiff already mentioned about the cause of action. Now, by filing an amendment petition, the respondent / plaintiff seeks amendment only to insert the date of cause of action and date of sale deeds mentioned in favour of the petitioner.

4. The revision petitioner / defendant vehemently contended that introducing the date for cause of action are amounts



to new cause of action. But, already there is cause of action. Since the respondent / plaintiff wants only to amend the dates of sale deeds of cause of action, the trial Court has rightly allowed the application. So, this Court is not inclined to interfere with the order passed by the Court below.

WEB COPY 5. Accordingly, this Civil Revision Petition is dismissed by confirming the order, dated 17.02.2022 passed in I.A.No.1 of 2021 in O.S.No.20 of 2017 on the file of the Additional District Munsif, Padmanabhapuram. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

trp

To

The Additional District Munsif, Padmanabhapuram.

+1 CC to M/s.R.NANDAKUMAR, Advocate (SR-22388[F] dated 29/04/2022)

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