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CMP(MD)



22

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

Thursday, the Eighth day of September Two Thousand and Twenty Two
PRESENT

The Hon`ble Mr.Justice N.SESHASAYEE

CMP(MD) No.7537 of 2022

in

SA(MD) No.116 of 2015

1 SIKKANNAN
2 RAJAMMAL
3 LAKSHMI
4 MUNIAPPAN
5 PALANICHAMY
6 RAMAN

... PETITIONERS/APELLANTS

Vs

1 ALAGIRI GOUNDER
2 VENKITTI GOUNDER
3 THIRUPATHI
4 GOVINDAN

5 NAGAMMAL (DIED)

6 PERIYASAMY

7 BHAGAVATHYRAJ
S/O.RAMASAMY GOUNDER

... RESPONDENTS 1 TO 4/RESPONDENTS 1 TO 4

... 5TH RESPONDENT

... RESPONDENTS 6 & 7/RESPONDENTS 6 & 7

8 NAGAMMAL (DIED)
9 MARIAMMAL (DIED)

... RESPONDENTS 8 & 8

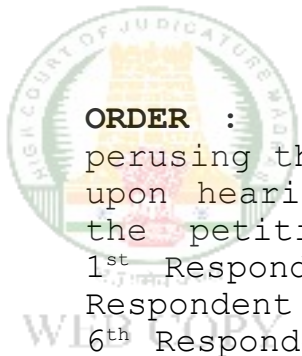
10 PALANISAMY ... 10TH RESPONDENT/PROPOSED 10TH RESPONDENT

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to amend the name of 7th respondent's father as Ramasamy Gounder instead of "Mamundi Gounder" in the memorandum of second appeal and also in the plaint, judgement and decree in the original suit and in the first appeal consequentially.

Prayer in SA(MD)No.116 of 2015 :

To call for the records relating to the Judgement and Decree dated 24.04.2009 in A.S.No.545 of 2004 on the file of the Principal Subordinate Judge, Dindigul confirming the judgement and decree dated 27.07.2004 in O.S.No.272 of 2000 on the file of the 2nd Additional District Munsif and set aside the same and allow this second appeal.

<https://www.mhc.tn.gov.in/judis>



ORDER : This petition coming up for orders on this day, on 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 and of MR.G.GOMATHI SANKAR on behalf of the 1st Respondent and MR.M.R.SREENIVASAN, Advocate on behalf of the Respondent Nos.2 & 5 and MR.M.SARAVANAN, Advocate on behalf of the 6th Respondent and none appeared either in person or by an advocate on behalf of the Respondent Nos.3, 4, 7, the court made the following order:-

This petition is filed to amend the name of the 7th respondent's father as Ramasamy Gounder instead of Mamundi Gounder in the memorandum of second appeal and also in the plaint, judgment and decree in the original suit and in the first appeal.

2.Heard the learned counsel for the petitioner, the learned counsel for the 1st respondent, the learned counsel for respondents 2 and 5 and the learned counsel for the 6th respondent.

3.This Court is satisfied with the reasons set out in the affidavit filed in support of this petition. Accordingly, this petition is allowed. Registry is now required to make necessary amendment in the memorandum of second appeal and also in the plaint, judgment and decree in the original suit and in the first appeal.

sd/-

08/09/2022

/ TRUE COPY /

16/09/2022

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

TO

1 THE PRINCIPAL SUBORDINATE JUDGE, DINDIGUL.

2 THE 2ND ADDITIONAL DISTRICT MUNSIF, DINDIGUL.

ORDER

IN

CMP(MD) No.7537 of 2022
in

SA(MD) No.116 of 2015

Date :08/09/2022

abr

RS/SBN/SAR.2 (16.09.2022) 2P-3C