



CRP(NPD)(MD)No.2210 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

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Minor Rogan Ashaniya
Rep. by his testamentary guardian,
Balashanmuganatham

... Petitioner

versus

Selva Saravanakumar

... Respondent

Civil Revision Petition filed under Section 115 of Civil Procedure Code, against the order dated 27.04.2019 passed in I.A.SR.No.16658 in G.W.O.P.No.6 of 2018 on the file of the learned I Additional District Judge, Madurai.

For Petitioner : Mr.G.Ramanathan

For Respondent : Mr.C.Padmaraj

ORDER

This Civil Revision is filed against the order dated 27.04.2019 passed in I.A.SR.No.16658 in G.W.O.P.No.6 of 2018 on the file of the



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learned I Additional District Judge, Madurai.

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2. The petitioner herein is a minor. The guardian of the minor filed G.W.O.P.No.6 of 2018 before the learned I Additional District Judge, Madurai, seeking permission of the Court to sale $\frac{1}{2}$ share of the property, to meet out the educational expenses of the minor and to meet out other expenses. The said petition was allowed by order dated 09.10.2018. Thereafter, the guardian of the minor filed an interlocutory application before the learned I Additional District Judge, Madurai, stating that there are certain typographical errors in the Judgment of the Court. The learned I Additional District Judge, Madurai, by order dated 27.04.2019, rejected the said application that the application is filed to correct the mistakes made in the Judgment, without seeking amendment in the pleadings. Though the Court below held that the amendment is not permissible after the disposal of the petition, however, the Court below, by following the Judgment of this Court, held that the Court is inclined to amend the Judgment, if the



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pleadings are also amended, otherwise, it would lead to confusion.

Aggrieved over the same, the present Civil Revision Petition is filed.

3. The Court below has not rejected the application altogether that the amendment is not permissible. However, the Court below has held that without amending the pleadings, the Judgment cannot be amended. Therefore, the Civil Revision Petition is disposed of with liberty to the petitioner to file an application before the Court below to amend the pleadings and also to correct the mistakes made in the Judgment. On filing such application, the Court below shall consider the same and pass orders on its merits. No costs.

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Index : Yes / No.

Internet : Yes / No.

To

1. The learned I Additional District Judge,
Madurai.

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B.PUGALENDHI, J.

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