



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.03.2022

CORAM

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

CRP (MD) .Nos. 1326 of 2017 and

CMP (MD) .No. 6507 of 2017 in CRP (MD) .No.1326 of 2017

WEB COPY

1. Geetharamani
2. Devika
3. Jothilakshmi
4. Vanitha

.. petitioners/Plaintiffs

Vs.

1. Yogeswaran (died),
2. Thiyagarajan
3. Jeyalakshmi
4. S.Karthika
5. Karuppiah
6. Ganapathi
7. Subramanian
8. Muthu Saravanan
9. Vijayalakshmi
10. Minor.Karthikeyan
11. Minor.Soundarya
12. Annalakshmi
13. Alagappan
14. Jeyakumar

.. Respondents

(Respondents 10&11 are minors, the case is conducted by their Guardian and Mother at 9th respondent)

Prayer: This Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the order and decreetal order dated 17.11.2016 passed in I.A.No.215/2016 in O.S.No.29/2011 by the District Court, Sivagangai and allow the petition.



For Petitioner ... Mr. R.Anandaraj

For R6 to R11 ... Mr. Prabhu Rajadurai

ORDER

The revision petitioners, who are the plaintiffs, have filed this revision to set aside the order dated 17.11.2016 passed in I.A.No.215 of 2016 in O.S.No.29 of 2011 on the file of the District Court, Sivagangai.

2. The said Interlocutory application in I.A.No.215 of 2016 filed by the revision petitioners to amend the plaint. The petitioners have already impleaded one Annalakshmi as party to the suit. Subsequently, they have filed the present amendment application seeking some other reliefs that in the original plaint, the plaintiffs have not pleaded documents and one of the relief is regarding the sale subsequent to the suit is hit by *lis pendens*. Already evidence on both sides over and posted for arguments, the petitioners cannot introduce a new case and also file an amendment petition for some other reliefs.

3. So at the stage of arguments the plaintiffs cannot introduce a new case and plead some other reliefs. The trial Court has rightly dismissed the application. Hence, this Court has not find any valid reason to interfere with the order passed by the Court below. The petitioners are directed to file a petition only with regard to the party impleading.

4. With the above observations, the Civil Revision Petition is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

trp

To
The District Judge, Sivagangai.

+1 CC to M/s.M.KARTHIKEYA VENKATACHALAPATHI, Advocate (SR-10090[F]
dated 04/03/2022)

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