



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :17.03.2022

CORAM:

THE HONOURABLE MRS. JUSTICE S.ANANTHI

C.R.P(MD) .No.2187 of 2019

and

C.M.P(MD) .No.11417 of 2019

1.Iyappan
2.Ponnammal
3.Velammal
4.Chellammal

...Petitioners/Petitioners/Plaintiffs

Vs.

1.Natarajan
2.Sankaran

...Respondents/Respondents/Defendants

PRAYER : This Civil Revision Petition is filed under Section 227 of the Constitution of India, to set aside the fair and decreetal order dated 25.08.2018 made in I.A.No.654 of 2018 in O.S.No.215 of 2012 on the file of Sub-Court, Valliyoor, Tirunelveli District.

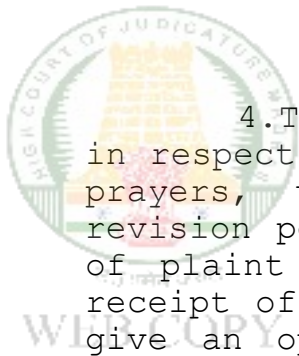
For Petitioner	: Mr.V.Meenakshi Sundaram
For R1	: Mr.V.Balasubramanian
For R2	: No Appearance

O R D E R

This Civil Revision Petition has been filed to set aside the fair and decreetal order dated 25.08.2018 made in I.A.No.654 of 2018 in O.S.No.215 of 2012 on the file of the learned Subordinate Judge, Valliyoor, Tirunelveli District.

2.The said I.A.No.654 of 2018 was filed by the revision petitioners/plaintiffs under Order VI Rule 17 of the Civil Procedure Code, to amend the plaint, which was dismissed by the learned Sub Judge, Valliyoor, Tirunelveli District. Aggrieved by the said order the revision petitioners have filed this Civil Revision Petition.

3.A perusal of record shows that the revision petitioners want to amend the pleadings in the plaint and also include some properties and also Court fee column. Now, the case is posted for cross-examination of DW2. If the properties are not included, the partition suit ends by partial partition and the plaintiffs will also file another suit for partition.



4. Therefore, this Court is inclined to allow this petition in respect of the list of properties and Court fee. Regarding other prayers, this Civil Revision Petition stands dismissed. The revision petitioners/plaintiffs are directed to file amendment copy of plaint with full Court fee within 15 days from the date of receipt of a copy of this order and the trial Court is directed to give an opportunity, if the respondents want to file additional statement. Since the suit is pending from the year 2012, the learned Subordinate Judge, Valliyoor, Tirunelveli District, is directed to dispose of the suit in O.S.No.215 of 2012 within a period of six months from the date of receipt of a copy of this order.

5. In view of the above, this Civil Revision Petition is partly allowed. No costs. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vsd

To

The Subordinate Judge,
Valliyoor,
Tirunelveli District.

+1 CC to M/s.V.BALASUBRAMANIAN, Advocate (SR-12760[F]
dated 17/03/2022)

+1 CC to M/s.V.MEENAKSHI SUNDARAM, Advocate (SR-12802[F]
dated 17/03/2022)

C.R.P(MD).No.2187 of 2019

and

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nsn(CO)

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