



CRP No.864 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2023

CORAM :

THE HONOURABLE MRS. JUSTICE T.V. THAMILSELVI

Civil Revision Petition No.864 of 2023

and

C.M.P. No. 6460 of 2023

J.R.K. Anandharamanna

... Petitioner

Versus

MSM Theater
Rep. by its Proprietor,
Mr.M.Thavamani
No. 5, Pillaiyar Koil Street,
Tondiarpet, Chennai – 81.

...Respondent

Civil Revision Petition filed Under Article 227 of Constitution of India, praying to set aside the order passed in I.A.No. 6 of 2023 in O.S.No. 1503 of 2020 dated 17.02.2023 by the XIX Asst. City Civil Judge, Chennai.

For Petitioner : Mr. P.Chandrasekar

ORDER

The petitioner has filed this revision petition to set aside the order passed in I.A.No. 6 of 2023 in O.S.No. 1503 of 2020 dated 17.02.2023 by the XIX Asst. City Civil Judge, Chennai.



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2. Heard, Mr. P.Chandrasekar, learned counsel for the petitioner and perused the materials available on record.

3. Before the trial Court the petitioner has filed I.A.No.6 of 2023 in O.S.No.1503 of 2020 under Order VI Rule 17 of CPC for amendment, before the learned XIX Assistant Judge, City Civil Court, Chennai and the same was dismissed by the learned trial Judge. The learned counsel for the petitioner submitted that the defendant has filed similar application for amendment in I.A.No.2 of 2021, for the same relief and the same was dismissed along with other applications. The defendant remained ex-parte. Thereafter, on filing of an application, the Ex-parte order was set aside.

4. Now the case is ripe for trial and the respondent has filed his written statement. If the cause title is not amended, it will be put to much hardship to the petitioner to proceed with the case subsequently.

5. Considering the facts and circumstances, and that the amendment of the cause title would not change the character of the case. Therefore, the findings rendered by the learned trial Judge is set aside. IA is allowed.



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6. Accordingly, this Civil Revision Petition is allowed. Consequently, connected miscellaneous petition is closed. No costs.

22.12.2023

Index : Yes/No

Speaking/Non Speaking order

Neutral Citation: Yes/No

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To

1. The XIX Asst. City Civil Judge, Chennai.

2. The Section Officer,
VR-Section, High Court of Madras.



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T.V.THAMILSELVI, J.

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