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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.07.2023

CORAM

THE HON'BLE MR JUSTICE V. LAKSHMINARAYANAN

C.R.P.No.3584 of 2016
and
C.M.P.No.18288 of 2016

Poonkodi

...Petitioner

Vs.

1.Andal

2.Pushparaj

...Respondents

Prayer:Civil Revision Petition filed under Article 227 of the Constitution of India to allow this Civil Revision Petition against the order dated 23.06.2016 passed in I.A.No.17 of 2015 in A.S.No.40 of 2014 on the file of the II Additional Subordinate Judge, Cuddalore.

For Petitioner : Mr.R.Gururaj.

For Respondents :



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ORDER

This Civil Revision Petition arises against an order dated 23.06.2016 passed in I.A.No.17 of 2015 in A.S.No.40 of 2014 on the file of the II Additional Subordinate Judge, Cuddalore, whereby the cause title given in A.S.No.40 of 2014 with respect to the name of the parties before the Trial Court was corrected. There is no dispute that A.S.No.40 of 2014 was preferred against the judgment and decree in O.S.No.336 of 2009 dated 28.03.2014.

2. It transpires that during the typing of the decree, the cause title of another case has been incorporated and therefore, an application was filed under Section 152 to correct the cause title. Similarly the operative portion also was missing and hence that has been brought on line with the judgment. On the face of it, is a typographical error which is capable of correction under Section 152.

3. Mr. R. Gururaj, learned counsel for the petitioner brings to my notice that as against the decree in A.S.No.40 of 2014, a regular Second Appeal has been preferred in S.A.No.82/2015 and that is pending consideration before the court. The appeal seems to have been filed against allowing of



the first appeal and decreeing the suit.

4. Insofar as this CRP is concerned, having come to the conclusion that there is only a typographical error, I do not find any error in the order of the court below. The CRP consequentially is dismissed. The petitioner is always entitled to agitate on the correctness or otherwise of the judgment on the decree dated 27.10.2014 in A.S.No.40 of 2014 in S.A.No.82 of 2015.

5. With the above observations this Civil Revision Petition stands dismissed. No Costs. Connected Civil Miscellaneous Petition is closed.

19.07.2023

Index : Yes/No
Neutral Citation Case : Yes/No
nst



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V.LAKSHMINARAYANAN,J,

nst

To:

The
2nd Additional Sub Judge,
Cuddalore.

C.R.P.No.3584 of 2016
and
C.M.P.No.18288 of 2016



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