



C.M.P.No. 20534 of 2023

in

S.A.No. 378 of 2007

P.T. ASHA, J.,

The above petition is filed seeking modification of the Judgement dated 15.02.2023 in S.A.No.378 of 2007.

2. The modification is sought for to fix the eastern boundary of the petitioner's land as that of the appellant's. The petitioners are the 4th to 6th respondents in the above Second Appeal. The averments in the affidavit is that when the web copy of the Judgement was downloaded, these defendants have noticed a small error in the fixation of the boundaries while allotting the share. The petitioners would submit that the Eastern boundary of their land was that of the appellant's land and not S.F.No.65/2 and 65/3.

3. This Court had passed the Judgement dated 15.02.2023 only on the basis of the consent of all the parties and the sketch filed by the appellant had been taken as the basis for the allocation of the shares. This sketch shows that the entire property is bounded on the North by Anaipalayam village, South by S.F. No.65/1A, West by Gobi to Dharapuram main road and East by S.No.65/2 and 65/3.



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4. The parties had agreed that 35 cents which was due to the 3rd defendant whose legal heirs are the petitioners herein, was to be allotted at the extreme Southern end stretching from Gobi to Dharapuram main road in the West to S.F.No. 65/2 and 65/3 in the East. On the North, this property is bounded by 0.05 cents, which is allotted to the 7th respondent and 1.66 acres which is allotted to the plaintiff. On the Southern boundary they are bounded by the lands in S.No.65/1A. Therefore, the contention that an error has crept in is totally incorrect. The sketch is self explanatory. Therefore, I see no reason to modify the Judgement.

5. In the result, the petition is dismissed.

30.10.2023

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