



A.Nos.3073 & 3074 of 2023 in

C.S.No.519 of 1998

R.N.MANJULA,J.

These applications have been filed to permit the plaintiff to amend the schedule of property in the plaint in C.S.No.519 of 1998 by removing the Puliur Village and in its place, add T.Nagar Village and Block No.0119 as mentioned in the schedule II hereunder and to amend the schedule of property in decree dated 22.11.2016 by removing the Puliur Village and in its place, add T.Nagar Village and Block No.0119 as mentioned in Schedule II hereunder.

2. The applicant is the plaintiff who had filed a suit in C.S.No.519 of 1998 for the relief of specific performance. The suit was decreed *exparte* on 22.11.2016. Since the judgment debtors / defendants did not come forward to comply the terms of decree by executing the sale deed in favour of the plaintiff, the sale deed got executed through the Court on 07.09.2022 and it is pending for registration. In the meanwhile, on 28.10.2022, a letter has been sent by the Sub-Registrar, T.Nagar with the following contents:

“With reference to the communication cited for the sale deed registration draft approval, as per our records T.Nagar Revenue Village, R.S.No.5258/2, Bazullah Road comes under the T.Nagar Sub-Registration Office Jurisdiction and Puliur Revenue



Village has been in this jurisdiction from 01.07.1958 to 31.05.1968 and presently at Kodambakkam Sub-Registration Office jurisdiction. Hence remove the Puliur Revenue Village from above said in document and add T.Nagar Revenue Village and also add Block No. as 0119 as mentioned in your online patta copy and submit the same.”

3. The learned counsel for the applicant / plaintiff submitted that the description of the property in the decree as well as in the sale deed the property is shown to be situated in Puliur Village, T.Nagar and now, it is informed through the above letter that it has been classified under T.Nagar Revenue Village, T.Nagar; hence appropriate amendment needs to be carried out in the decree as well as in the description of the property shown in the sale deed.

4. The letter dated 28.10.2022, sent by the Sub-Registrar, T.Nagar would show that there is no ambiguity in the identification of the property, because the survey number is rightly mentioned as R.S.No.5258/2 and the property is shown to be situated in Bazullah Road, T.Nagar. As per the records of the Sub-Registrar, the said property situated in R.S.No.5258/2, Bazullah Road comes under the jurisdiction of the Sub-Registrar, T.Nagar. However, the property was under the jurisdiction of Puliur Revenue Village for the period between 01.07.1958



to 31.05.1968 which is presently called as Kodambakkam Sub-Registrar Office jurisdiction. In view of the same, the description in the particulars of the property has to be changed appropriately in order to denote the right jurisdiction for the property (i.e) T.Nagar Revenue Village. Since the above amendment has to be carried out taking into consideration of the classification that had come into effect subsequent to 31.05.1968 as shown in the letter of the Sub-Registrar, T.Nagar, the decree has to be amended in the interest of justice and to avoid any future technical difficulties that might arise in identifying the property.

5. In view of the same, these applications are allowed. The official who had signed the sale deed on behalf of the Court has to carry out the necessary corrections in consonance with the decree in the description of the property and also in the sale deed.

23.06.2023

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NOTE : Registry is directed to issue order copy today (23.06.2023).



WEB COPY



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