



WEB COPY



C.R.P.(PD)No.2133 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2023

CORAM :

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

C.R.P.(PD)No.2133 of 2019
and CMP.No.13718 of 2019

1.Narayanan
2.Poomadevi
2.Seenuvasan

.. Petitioners

VS

Ramalingam

.. Respondent

Petition filed under Article 227 of the Constitution of India against the fair and decretal order dated 08.01.2019 made in I.A.No.697 of 2018 in O.S.No.271 of 2013 on the file of the learned First Additional District Munsif Court, Kallakurichi.

For Petitioners : Ms.Adhi Shree
for Mr.N.Manokaran
For Respondent : Ms.T.Lavanya

ORDER

The civil revision petition arises against an order passed in I.A.No.697 of 2018 in O.S.No.271 of 2013. The plaintiff had moved an application under Order 6 Rule 17 of the Code of Civil Procedure to add a few lines in the 4th and 6th paragraphs. This was resisted on the ground that the said prayer is hit by Order 2 Rule 2 of the CPC.

V. LAKSHMINARAYANAN,J.



C.R.P.(PD)No.2133 of 2019

2.The learned trial Judge went into the aspect and came to the conclusion that the amendment is only for the purpose of determining the real issue between the parties and it does not introduce a new cause of action nor a new case. It further held that no prejudice will be caused to the petitioner. Consequently, it allowed the application on payment of costs. It also concluded that by allowing the application, it will prevent multiplicity of proceedings.

3.This is a discretionary order exercised in terms of the settled principles of law. Therefore, I am not inclined to interfere, this civil revision petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

28.08.2023

Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation:Yes/No

vs

To

The First Additional District Munsif Court,
Kallakurichi.

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and CMP.No.13718 of 2019**