



CRP. No. 4008 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2023

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 4008 of 2023
and CMP No. 24550 of 2023

Gowri Shankar

...Petitioner

Vs.

Sankaran

....Respondent

PRAYER : This petition filed under Article 227 of Constitution of India, to set aside the fair and decreetal order dated 04.08.2023 passed in I.A No. 2 of 2023 in O.S No. 138 of 2019 on the file of District Munsif court cum Judicial Magistrate, Madathukulam.

For Petitioner : Mr.S.Sidhartha Vishnu

For Respondent : Mr.M.Sivavarthan

ORDER

This petition has been filed to set aside the fair and decreetal order dated 04.08.2023 passed in I.A No. 2 of 2023 in O.S No. 138 of 2019 on the file of District Munsif court cum Judicial Magistrate, Madathukulam.



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2. The petitioner herein filed I.A No. 2 of 2023 in O.S No. 138 of 2019 before the Trial Court for inclusion of boundaries of the suit property in the plaint. After considering the submissions on either side, the Trial Court dismissed the said application stating that there is no mentioning about the boundaries in the deed relied by the petitioner in the suit. Challenging the same the petitioner filed this petition.

3. Heard both sides.

4. On perusal of the records, it reveals that while purchasing the property there is nothing mentioned about the boundaries in the sale deed relied by the petitioner and the same was rightly observed by the Trial court which needs no interference. Further, if such application is allowed it would change the character of the suit. Accordingly, this petition is dismissed. No Cost. Consequentially, connected miscellaneous petition is closed.

13.12.2023

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T.V.THAMILSELVI,J.



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To

The District Munsif court cum Judicial Magistrate, Madathukulam.

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