



C.R.P.No.3603 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2023

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

C.R.P.No.3603 of 2017

and

C.M.P.No.16872 of 2017

1. Kaliyan
2. Chinnapparaj
..... Petitioners
Vs

1. Ganesan
2. Arumugam
3. Kanagasabai
4. Jegarayam
..... Respondents

Prayer :- Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the fair and decretal order dated 03.08.2017 made in I.A.No.543 of 2015 in O.S.No.244 of 2006 on the file of the I Additional District Munsif, Vridhachalam.

For Petitioners : Mr.C.Munusamy

For R1 : Mr.T.Sezhian
for Mrs.R.Meenal

For R2 to R4 : Given up

ORDER



C.R.P.No.3603 of 2017

WEB COPY

This Civil Revision Petition has been filed to set aside the fair and decretal order dated 03.08.2017 made in I.A.No.543 of 2015 in O.S.No.244 of 2006 on the file of the I Additional District Munsif, Vridhachalam, thereby allowing the petition seeking amendment.

2. The petitioners are the defendants 2 and 4 in the suit filed by the first respondent herein. Initially, the first respondent filed a suit for declaration and injunction. Pending suit, the petitioners filed a petition seeking representation on behalf of Temple. The petitioners sought for declaration of the suit property belonged to the Temple. The first respondent categorically averred that he is a Dhamakarta of Muniapper and Sri Sivagami Ammal Temple and the suit property belonged to the said Temple. Therefore, the amendment sought will not change the nature of the suit and would not invite any cause of action. That apart, there is absolutely no prejudice would be caused to the petitioners herein. Hence, the Court below rightly allowed the petition.

3. Hence, this Court finds no infirmity or illegality in the order



C.R.P.No.3603 of 2017

WEB COPY

dated 03.08.2017 passed in I.A.No.543 of 2015 in O.S.No.244 of 2006 on the file of the I Additional District Munsif, Vridhachalam, accordingly, this Civil Revision Petition stands dismissed. Consequently, connected miscellaneous petition is closed. No costs.

03.03.2023

Index:Yes/No
Internet:Yes/No
Lpp

To

The I Additional District Munsif,
Vridhachalam.

G.K.ILANTHIRAIYAN, J.



WEB COPY



C.R.P.No.3603 of 2017

Lpp

C.R.P.No.3603 of 2017
and
C.M.P.No.16872 of 2017

03.03.2023