



CRP(PD)(MD)No.83 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 12.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CRP(PD)(MD)No.83 of 2023
and CMP(MD)No.375 of 2023

Sundar Deivendran

... Petitioner

versus

1. Thegatta @ Chinnavaira Thevar (died)
2. P.Sundaravalli
3. K.Selvi
4. V.Rajathi
5. Sekar
6. Sundhan
7. Jayapandiyammal
8. Surathi
9. Minor Sundari
10. Periya Sundhan
11. Malaimegu
12. Dhanalakshmi
13. Kanaga
14. Ganapathi
15. Alagurasathi
16. Paranjothi
17. Sulochana
18. Sivanammal
19. Annakodi



CRP(PD)(MD)No.83 of 2023

20. Boomadevi
21. Jeyaraman
22. Selvi
23. Kodivairavan
24. Chinnakaruppan
25. Varadharajan
26. Mokkaraj
27. Manikandan
28. Angusamy
29. Kaliasammal
30. Vairachezhiyan
31. Pandi
32. Mariappan
33. Sundar
34. Ganapathy
35. Muthulakshmi
36. Panjammal
37. Petchiammal

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India, as against the order dated 25.11.2022 passed in I.A.No.570 of 2022 in O.S.No.379 of 2017 by the learned Subordinate Judge, Thirumangalam, Madurai District.

For Petitioner : Mr.R.R.Kannan

ORDER

This Civil Revision Petition is filed against the order dated 25.11.2022 passed in I.A.No.570 of 2022 in O.S.No.379 of 2017 by the



CRP(PD)(MD)No.83 of 2023

learned Subordinate Judge, Thirumangalam, Madurai District.

WEB COPY

2. The petitioner is the plaintiff in O.S.No.379 of 2017. The said suit was filed in the year 2013 for the relief of partition. The petitioner/plaintiff has also filed an interlocutory application in I.A.No. 570 of 2022 under Order 6 Rule 17 C.P.C. to amend the plaint. The trial Court, by its order dated 25.11.2022, accepted 1st and 2nd amendments sought by the petitioner and rejected 3rd amendment on the ground that the petitioner/plaintiff has not produced any supportive documents in respect of the correct survey numbers and correct extent of survey numbers. Aggrieved over that, the present Civil Revision Petition has been filed.

3. The learned counsel appearing for the petitioner submits that the petitioner/plaintiff has filed the above interlocutory application based on the patta of those properties, however, he failed to produce the same before the trial Court. Therefore, he requests for a chance for



CRP(PD)(MD)No.83 of 2023

the petitioner to produce the patta of those properties and to substantiate his case.

4. Considering the nature of suit and also considering the request made by the learned counsel for the petitioner, this Court, without observing anything on merits of the Civil Revision Petition, directs to the petitioner to produce the relevant patta documents before the trial Court and substantiate that the amendments are required. On filing of those documents, the trial Court shall consider the same and pass orders on merits.

5. With the above direction, the Civil Revision Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

12.01.2023

ogy
NCC : Yes / No.
Index : Yes / No.
Internet : Yes / No.



CRP(PD)(MD)No.83 of 2023

WEB COPY

To

1. The learned Subordinate Judge,
Thirumangalam,
Madurai District.
2. The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CRP(PD)(MD)No.83 of 2023

B.PUGALENDHI, J.

ogy

CRP(PD)(MD)No.83 of 2023

12.01.2023