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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Wednesday, the Seventh day of June Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice N.SATHISH KUMAR

CMP(MD). No.2295 of 2018
in
AS No.703 of 1992

C.V.Ahamed Kutty (Died)

2.C.V.Alavi Kutty

... Petitioner/2nd Appellant

3. Kunju Koyambu (Died) .

4. Fathima Kutty

5. Abdul Khader

6. Faizal

7. Abida

8. Shaharabanu

9. Iyyathumma (Died) .

10. Ayisha Beevi

11. Fathima

12. Sainaba

13.Muhammed Ashraf

14.Muhammed Baheer.

.. Petitioner(s)no.4 to 14/ Appellant 4 to14

Vs



1 S.Ramalingam (Died)

2 S.Rajendran,

3 Sengamala Servai (Died)

4 Rengasamy Servai(Died)

5 Sathiamurthy (Died)

6 Govindammal (Died)

7 Perumalsamy Naidu(Died)

8 Chinnathambi (Died)

9 Kottaisamy Naidu(Died)

10 Lakshmi(Died)

11 Kaliaperumal

12 Soundarajan,

13 Arugmugam

14 Selvi.Pushpam (Died)

15 Tm.T.Mariammal

16 Tmt.Nagarathinam

17 Tmt.Tamilarasi(Died)

18 Mahalingam(Died)

19 Mahadevan(Died)



20 Ganesan

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21 Gowri

22 Manikandan

23 Geetha

24 Manoharan(Died)

25 Thilagavathi

26 Valarmathi

27 Ayyappan(Died)

28 Revathi

29 Kalaiselvi

30 Nanthakumar,

31 Lalitha

32 Murali

33 Ashwanth,

34 Kalarani

35 Sakthi Prakash

36 Nithish Kumar,

37.Indhira

38. R.Shivakumar

<https://www.mhc.tn.gov.in/judis>



39. R.Subha,

40. R.Agalya,

41. R.Kumaran,

(Respondents 37 to 41 are brought on record as LRS of the deceased 1st respondent vide court order dated 24/09/2019)

42. Agilandam,

43. Jeya,

44. Rajam,

45. Susila,

46. Rajeswari (Died)

47. Navaneetham,

48. Meenakshi

49. Pattammal(Died),

50. Prema,

51. Sampasivam,

52. Ambikapathi (Died),

53. Karuppaiah,

54. Muthukumar,

55. Karthikeyan,

(Respondents 42 to 55 are brought on record as LRS of the deceased 3rd respondent vide court order dated 12/12/2022)

56. Indhiragandhi,

57. Muthulakshmi,

58. Muthukumar,

(Respondents 56 to 58 are brought on record as LRS of the deceased 52nd respondent vide court order dated 12/12/2022)

59. Nagalakshmi,

60. Kalpana,

61. Indumathi,

62. Alagaresan,



(Respondents 59 to 62 are Brought On Record as Lrs of the Deceased 5th Respondent vide court order dated 13/03/2023)

63. Shanmugapriya,

64. Rakshana,

65. Nethra,

... Respondents

Prayer :-

Pleased to amend the schedule of property as suit Item No.19 to 21 instead of suit Item No.23 to 26 in the grounds of appeal and prayer in AS.No.703 of 1992 on the file of this Honourable Court and thus render justice.

ORDER:- This Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Ms.I.Velpradeep ,Advocate for the petitioner, this Court made the following order:

This application has been filed to amend the suit schedule property in the grounds of appeal.

2.The learned counsel for the petitioner submitted that due to inadvertence, the items of properties had not been properly mentioned in the grounds of appeal. Further, the learned counsel submitted that in the memorandum of amendment application, instead of Item Nos.19 to 22, it has been wrongly mentioned as Item Nos.19 to 21 and the same may be corrected.



3. Being satisfied with the reasons stated in the affidavit filed in support of this petition and considering the submission made by the learned counsel for the petitioner and also considering the fact that the description of the property is not in dispute and no serious objection is raised by the other side, this application is allowed. The schedule of properties is amended as Item Nos.19 to 22 instead of Item Nos.23 to 26 in the grounds of appeal.

4. The Registry is directed to carry out necessary amendment and list the appeal for hearing on 15.06.2023.

Sd/-

Assistant Registrar(CS III)

// True Copy //

/09/2023

Sub Assistant Registrar(CS)

TO

+1 cc to M/s.P.THIYAGARAJAN, Advocate(SR.NO.9738)



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Hon`ble Mr.Justice
N.SATHISH KUMAR

ORDER DATED : 07/06/2023

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CD purpose

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CMP(MD). No.2295 of 2018

IN

AS No.703 of 1992

Giving direction and etc.
as stated within.

MGJ(04.09.2023) 7P 2C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17.07.2023