



A.No.2751 of 2024 in C.S. (Comm. Div.) No.214 of 2023

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P.VELMURUGAN. J.

This application is filed by the plaintiff to amend the name of the 2nd defendant as S.Arvind Prasad instead of S.Arvind Kesavan as detailed in the judges summons.

2. The learned counsel for the applicant/plaintiff submitted that the 2nd defendant is known and called as "Aravind". Since the 1st defendant's son's name was stated in the suit mentioned movie promotion as "S.Aravind Kesavan", the 2nd defendant's name was shown as "S.Aravind Kesavan" in the suit. But in the written statement filed by the 1st defendant, it is stated that the name of the 1st defendant's son is "S.Arvind Prasad". Therefore, the name of the 2nd defendant has to be amended as "S.Arvind Prasad" instead of "S.Aravind Kesavan" in the plaint. Hence, the present application is filed.

3. The 1st respondent/1st defendant appeared before this Court as a party-in-person. Though he has not filed counter affidavit, he submitted



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the 2nd defendant S.Aravind Kesavan is the pen name of the 1st defendant. His son "S.Arvind Prasad, supposed to be the 2nd defendant, is no way connected with the production of the suit mentioned film. The applicant/plaintiff has purposefully added him as a party. Further, despite knowing his son's original name, she purposefully mentioned the pen name of the 1st defendant as his son's name in order to protract the case and to give trouble to the respondents/defendants. He further submitted that the applicant/plaintiff has unnecessarily filed this suit as well as this application. Hence, the same are liable to be dismissed.

4. Heard both sides and perused the materials available on record.

5. It is seen that the applicant/plaintiff has filed the present suit against the defendants 1 and 2. Admittedly, the 2nd defendant's name is shown as "S.Aravind Kesavan" in the plaint. In the written statement filed by the 1st respondent/1st defendant, it is stated that the name of the 1st defendant's son/supposed to be the 2nd defendant is "Arvind Prasad". The applicant/plaintiff is none other than the sister of the 1st respondent/1st



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defendant and that the applicant/plaintiff has mentioned the pen name of the 1st defendant as his son's name in the plaint.

6. Whether the plaintiff has established her case against the 2nd defendant or not which can be decided only after trial and not at this stage. However, in order to avoid further complications, the name of the 2nd defendant has to be amended and even if the name of the 2nd defendant is amended as prayed for, no prejudice would be caused to the defendants.

7. Accordingly, this application is allowed.

8. Registry is directed to carry out necessary amendment in the original plaint. The applicant/plaintiff is directed to file the amended copy of plaint on or before 12.07.2024.

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