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A.No.1213 of 2023 in
C.S.No.813 of 2018

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N.SATHISH KUMAR, J.

This application has been filed to amend the plaint by including the properties, which has been omitted and pursuant to the objection raised by the respondent/defendant while filing the application under Order 7 Rule 11 for rejecting the plaint on the ground that all the properties have not been included in the suit.

2. The application, which was filed for rejection of the plaint was already dismissed, since certain properties have been disclosed in the present application filed by the plaintiffs to include the properties for partition.

3. Though it is stated by the learned counsel appearing for the respondent that some of the other properties have not been included, this Court directed the respondent by an order dated 26.02.2024 to provide the details of the so-called left out property. Despite such direction, no details have been furnished, on the other hand, adjournment has been sought on the last hearing for production of the details, however, today viz.,



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C.S.No.813 of 2018

08.03.2024 also, such details have not been given.

WEB COPY

4. Be that as it may, as far as the present application is only to include certain family property, mere inclusion of the family property will not prejudice any one. Accordingly, the present application is allowed.

5. The applicants / plaintiffs are directed to file amended copy of the plaint by 27.03.2024 and the Registry is directed to carryout necessary amendment and post the case on 27.03.2024. It is made clear that as the respondent has not provided details in respect of other properties, it is very well open to the respondent to bring fresh application, if such details came to his knowledge.

08.03.2024

ssd



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