



C.R.P(MD)No.1075 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 23.10.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P(MD)No.1075 of 2024

and

C.M.P(MD)No.5969 of 2024

Muthumari

... Petitioner /
Petitioner /
Plaintiff

Vs.

Ramanujam Ammal (Died)

- 1.Uma
- 2.Ananthi
- 3.Sivamuthu
- 4.S.Manoharan

5.The Sub Registrar,
Office of the Sub Registrar,
Sivakasi.

6.The Tahsildar,
Sivakasi.

... Respondents /
Respondents /
Defendants

Prayer : Civil Revision Petition filed under Article 227 of the
Constitution of India, to allow the Civil Revision Petition with costs by



C.R.P(MD)No.1075 of 2024

setting aside disallowed portion of the fair and Decreetal order in I.A.No. 6 of 2024 in O.S.No.51 of 2021 dated 01.03.2024 on the file of Additional District Judge, Virudhunagar.

For Petitioner : Ms.K.R.Shivashankari

For Respondents : Mr.A.K.Gopalan
for R.1 & R.3

Mr.M.Murugan for R.4

Mr.K.Balasubramani
Special Government Pleader
for R.5 & R.6

No Appearance for R.4

ORDER

Heard both sides.

2.The plaintiff in O.S.No.51 of 2021 on the file of the learned Additional District Judge, Virudhunagar is the revision petitioner herein. She filed I.A.No.6 of 2024 for amending the pleadings. The said IA was partly allowed vide order dated 01.03.2024. In respect of the disallowed portion, this Civil Revision Petition came to be filed.

3.The petitioner wanted to delete certain items. This request was denied by the Court below on the ground that the items now sought to be



C.R.P(MD)No.1075 of 2024

deleted were included as per order in I.A.No.207 of 2016 filed by the plaintiff herself.

4.When the prayer for deletion is not opposed by the respondent, the Court below need not have adopted a technical approach. In this view of the matter, the impugned order is set aside insofar as paragraph no.10 is concerned. The petitioner is also permitted to delete the present plaint schedule 7, 8, 9, 10 and 18. The Court below is directed to dispose of the suit on merits and in accordance with law within a period of six months from the next hearing date. I.A.No.6 of 2024 filed by the revision petitioner is allowed as prayed for.

5.This Civil Revision Petitioner is allowed accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

23.10.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

Note: Issue order copy on 04.11.2024.



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C.R.P(MD)No.1075 of 2024

G.R.SWAMINATHAN, J.

MGA

To

- 1.The Additional District Judge,
Virudhunagar.
- 2.The Sub Registrar,
Office of the Sub Registrar,
Sivakasi.
- 3.The Tahsildar,
Sivakasi.

C.R.P(MD)No.1075 of 2024
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