



C.R.P.(MD)No.2137 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 22.10.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P.(MD)No.2137 of 2024
and
C.M.P.(MD)No.12186 of 2024

S.A.Radhakrishna Raja

... Petitioner / Petitioner / Plaintiff

Vs.

1.Santhanapoornammal

2.Baskar

3.Uthayakumar

4.Selvaraj

5.L.Ramasubramaniam

6.Rajalakshmi

7.Seethalakshmi

8.Lakshmanan

9.Ponnuchamy (died)

10.Ponnumani

11.Sivaraman



C.R.P.(MD)No.2137 of 2024

12. Veeralakshmi

13. Ayothiraman

14. Ayyappan

15. Lakshmanan

16. P. Ramasubamaniyan

17. Ramasamy

18. Boopathy ... Respondents / Respondents / Defendants

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, against the fair and decreetal order dated 21.02.2024 passed by the District Munsif Court, Rajapalayam in I.A.No.2 of 2023 in O.S.No.19 of 2023.

For Petitioner : Mr.K.Sudalaiyandi
For Respondent : Mr.Y.Prakash
for R1 to R8 & R10 to R18

ORDER

Heard both sides.

2. The plaintiff in the suit is the revision petitioner. He applied for amendment of the suit prayer. He wanted to include the relief of declaration also. It was dismissed. Questioning the same, this civil revision petition has been filed.



C.R.P.(MD)No.2137 of 2024

WEB COPY

3. The suit itself was filed only in 2023. Amendment has been filed immediately. If the amendment has been filed beyond three years, then I can understand. That is not the case here. In as much as, the amendment petition has been filed within the limitation period, the court below ought not to have dismissed the same.

4. In this view of the matter, the impugned order is set aside. The Civil Revision Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

22.10.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
rmi

To:

The District Munsif Court, Rajapalayam .



WEB COPY



C.R.P.(MD)No.2137 of 2024

G.R.SWAMINATHAN, J.

rmi

C.R.P.(MD)No.2137 of 2024

22.10.2024