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C.R.P(MD).No. 1340 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.03.2024

CORAM :

THE HON'BLE MR JUSTICE G.ILANGO VAN

CRP(MD).No. 1340 of 2023 and
CMP(MD).No.6661 of 2023

Selvam

Petitioner

Vs.

1.G.Radhakrishnan
2.G.Ulaganathan
3.Bagyalakshmi

Respondents

PRAYER : Petition filed under Article 227 of the Constitution of India against the order passed in I.A.No.240 of 2022 in O.S.No.6 of 2020 on the file of the Additional District Judge, Virudhuangar, dated 21.02.2023.

For Petitioner : Ms.P. Jessi Jeeva Priya

For 1st respondent : Mr. I. Suthakaran

For respondents 2 and 3 : Mr.A.Mohan

ORDER

This revision has been preferred against the dismissal order passed by the trial Court in I.A.No.240 of 2022 seeking to amend the plaint suit in O.S.No.6 of 2020, which was filed by the revision



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petitioner herein as plaintiff seeking the relief of declaration that the suit property absolutely belongs to him and for consequential relief of removal of the superstructures and for cost.

2. The trial Court after completing the examination of all the witnesses posted the matter for arguments. At that time, the present I.A.No.240 of 2022 was taken out to amend the plaint to declare the settlement deed, dated 28.01.2008 as null and void and the clarifications sought from the revision petitioner as to whether any specific issue is framed by the trial Court in this regard. Now, the copy of the draft issues is also produced before this Court, wherein specific issues has been framed with regard to the present subject settlement. In view of the above said fact, no amendment is necessary in the said plaint.

3. In the result, this Civil Revision Petition is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

06.03.2024

trp
Internet : Yes / No
Index : Yes / No
Speaking / Non Speaking order
trp



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To
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The Additional District Judge, Virudhuangar,



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G.ILANGO VAN,J.

Trp

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