



C.R.P.(MD)No.1476 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 23.08.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P.(MD)No.1476 of 2024

and

C.M.P.(MD)No.8733 of 2024

C.Chella Basker

... Petitioner/Petitioner/Plaintiff

Vs.

- 1.Lilly Joyace
- 2.Jospeh Samraj
- 3.Kantha Leela
- 4.Saraswathi
- 5.Ganesa Murugan
- 6.V.L.V.S.Kanakaraj
Seenivasagam (Died)
Gnanamuthu (Died)
- 7.Jeyaseelan
- 8.Vasanthi
Chandira (Died)
- 9.Chellaiah
- 10.Selvin
- 11.Kamalaveni
- 12.Ranjitham
- 13.Piyula Helan
- 14.Premsanth



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15.Jebastiyani

16.Regina

17.Arputharaj

18.Navamani

19.Simson

20.Kalins

21. Gunasekaran ... Respondents/Respondents/ Defendants

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decretal order dated 05-06-2024 made in I.A.No.29 of 2024 in O.S.No.316 of 2011 on the file of the Additional District Munsif, Sankarankovil and allow the revision.

For Petitioner : Mr.D.Rajkumar

For Respondents : Mr.S.Malaikani for R1 & R2.
Mr.F.X.Eugene for R3, R4 & R6
Mr.S.Thiagarajan for R9, R10, R12 to R21

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ORDER

The plaintiff in O.S.No.316 of 2011 on the file of the Additional District Munsif Court, Sankarankovil is the revision petitioner herein. The suit was filed for the relief of declaration, mandatory injunction and recovery of possession. In the said suit, I.A.No.29 of 2024 was filed for amending the



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plaint for getting certain documents declared as null and void. The Court below dismissed the said I.A. vide order dated 05.06.2024. Questioning the same, this civil revision petition came to be filed.

3.After hearing the learned counsel on either side, I am more than satisfied that the impugned order does not warrant interference. This is for more reasons than one. The documents which are sought to be nullified date back to the years 2007 and 2008. The suit itself was filed in the year 2011. Amendment petition was filed in the year 2024, that is 13 years after the filing of the suit. More than anything else, it is a post-trial amendment. The learned counsel for the respondents states that when the case was posted for arguments, the amendment petition came to be filed. The Court below was right in coming to the conclusion that the filing of the application is highly belated.

4.Interference is not warranted and the civil revision petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

23.08.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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G.R.SWAMINATHAN, J.

ias

To:

The Additional District Munsif Court,
Sankarankovil.

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23.08.2024
(2/2)