



C.R.P(MD)No.2565 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.10.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P(MD)No.2565 of 2023
and
C.M.P(MD)No.13265 of 2023

P.Karthikeyan

... Petitioner /
Petitioner /
Plaintiff

Vs.

1.S.Pitchai Pillai

2.P.Prakesh

3.P.Damayanthi

4.P.Malathi

5.T.Ravichandran

6.T.Nagarajan

7.P.Jayamani

8.S.Eswari

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9.E.Suguna

10.S.Moscow

11.S.Suganya

12.G.Elayaraja

13.The Tahsildar,
Taluk Office,
Papanasam,
Thanjavur District.

14.The Sub Registrar of Ayyampettai,
Sub Registrar Office,
Ayyampettai,
Papanasam Taluk,
Thanjavur District.

.. Respondents /
Respondents /
Defendants

Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India, to allow this civil revision petition call for the records relating to the order passed by the learned II Additional District and Sessions Judge, Thanjavur dated 30.06.2023 in I.A.No.70 of 2023 in O.S.No.95 of 2018 and set aside the same and allow the said application.

For Petitioner : Mr.Murugavel

For Respondents : Mr.A.N.Ramanathan
for R.1 to R.4

Mr.K.Balasubramani
Special Government Pleader
for R.13 & R.14



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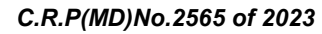
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ORDER

Heard both sides.

2.The plaintiff in O.S.No.95 of 2018 on the file of II Additional District and Sessions Judge, Thanjavur is the revision petitioner herein. It is a suit for partition. The petitioner filed I.A.No.40 of 2023 for amending the suit schedule. He wanted to include two items. Since no counter was filed, the said IA was allowed. Thereafter, the present I.A.No.70 of 2023 was filed. The said IA was dismissed. Challenging the same, this Civil Revision Petition came to be filed.

3.The learned counsel for the respondents strongly contested the very maintainability of I.A.No.70 of 2023. It is seen that the description setout in I.A.No.40 of 2023 was not sufficient and that necessitated filing of I.A.No.70 of 2023. Since it is a pre-trial amendment it can very well be allowed.



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

03.10.2024

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



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II Additional District and Sessions Judge,
Thanjavur.



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G.R.SWAMINATHAN, J.

MGA

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and
C.M.P(MD)No.13265 of 2023

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