



WEB COPY

A No. 1472 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-09-2025

CORAM

THE HON'BLE DR.JUSTICE R.N.MANJULA

A Nos. 1472, 1473 & 1474 of 2025 in

TOS.No.35 of 2023

K.Murali

S/o.Dr.R.Krishnan, F2, Arul Jothi Apartments,
No.19, Selva Vinayagar Koil Street, Opp. I.C.F.
Colony, E.B. Office, Ayapakkam, Chennai - 600
077.

..Applicant(s)

Vs

R. Krishnan

S/o.Ramasamy Chettiar, Door No.358/15, 1st Cross
Street, Guptha Nagar, Angammal Colony, Salem
636 009.

..Respondent(s)

To direct the amendment of the Affidavit of Assets filed in O.P.No.167 of 2023 and thereafter converted into TOS.NO.35 of 2023 by incorporating therein the D Schedule Property and the market value of the same as per the Will executed by Smt.Saroja Krishnan (Document No.32 of 2013) in the above case.

To direct that para 6(a) in the petition in O.P.No.167 of 2023 and thereafter, converted into TOS.No.35 of 2023 be deleted.

To direct the amendment of the Annexure A in the affidavit of assets filed in O.P.No.167 of 2023 and thereafter, converted into TOS.No.35 of 2023 by deleting para 6(a) in Annexure A.

For Applicant(s): M/S B.BALACHANDAR



FOR M/s. ASHOK MENON

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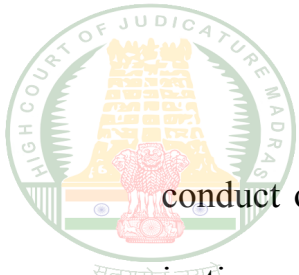
For Respondent(s): M/s.P.JAGADEESAN
FOR DEFENDANT

COMMON ORDER

These amendment applications have been filed on the ground that item No.1 of the schedule mentioned property in TOS.No.35 of 2023 has been included by inadvertence and the same has to be deleted.

2. The learned counsel for the respondent filed his counter and submitted that having got the partition decree in respect of the first item of the schedule mentioned property and Testamentary Original Suit has been filed by including the said property, now the applicant cannot seek to amend the suit. It is further submitted that the conduct of the applicant is nothing but suppression of material facts.

3. The respondent himself did not deny the fact that item No.1 of the schedule does not find place in the Will which is the subject matter of this suit. So without prejudice to the contention of the respondent with regard to the



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conduct of the petitioner during the proceedings of this suit, in the interest of justice and to rectify the mistake, these Applications are allowed.

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DR.R.N.MANJULA, J.

GSK

To

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