



C.R.P.(PD) No.1912 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2025

CORAM

THE HONOURABLE Mr. JUSTICE R. SAKTHIVEL

C.R.P.(PD) No.1912 of 2023

1.R.Mohanakrishnan

2.K.P.Ramasamy

... Petitioners

Vs

Saraswathi

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India against the fair and final order dated 29.03.2023 passed in I.A.No.4 of 2023 in O.S.No.35 of 2019 on the file of the District Munsif Court, Perundurai.

For Petitioners : Mr.S.Kaithamalai Kumaran

For Respondent : No appearance



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ORDER

The revision petitioners herein are the plaintiffs and the respondent herein is the defendant in O.S.No.35 of 2019 on the file of the District Munsif Court, Perundurai. The revision petitioner/plaintiff filed a suit against the respondent seeking permanent injunction. The respondent had filed written statement. It appears that trial has not yet commenced. In these circumstances, the plaintiff filed I.A.No.4 of 2023 under Order 6 Rule 17 CPC seeking to amend the plaint, since the cause of action was not explained properly. After hearing both sides, the learned District Munsif, dismissed the I.A.No.4 of 2023. Aggrieved by the dismissal order, the plaintiffs preferred this civil revision petition.

2. Heard Mr.S.Kaithamalai Kumaran, learned counsel for the revision petitioner and perused the records.

3. This Court has perused the plaint. The plaintiffs have stated the cause of action, but, have omitted to elaborate on the same. Hence, by way of amendment, the revision petitioners want to elaborate the cause of action. The amendment



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sought for does not alter the nature and character of the suit. Hence, this Court is

inclined to allow this civil revision petition and accordingly, this civil revision

petition is allowed. No costs.

31.01.2025

gya

Index : Yes/No

Neutral Citation : Yes/No

To
The District Munsif Court
Perundurai.



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R. SAKTHIVEL, J.

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