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CMP No. 5904 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2025

CORAM

THE HONOURABLE MRS JUSTICE T.V.THAMILSELVI

CMP No. 5904 of 2025

in

SA SR No. 10175 of 2024

M/s Dalmia Cement (Bharat) Ltd
Rep. by its General Manager
Dalmiyapuram, Ariyalur Tk and Dist.

Appellant(s)

Vs

SELLAMMAL
and 4 others

Respondent(s)

PRAYER

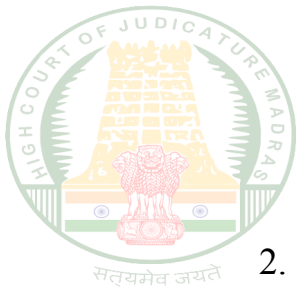
To accept the cause title of the 5th Respondent as Devayani instead of Minor Devayani in the present Memorandum of Second Appeal preferred by the Petitioner/Appellant herein and pass such or other further orders as it deems fit to the facts and circumstances of the case and thereby render justice.

For Appellant(s): M/s. AR. Ramanathan

ORDER

This Civil Miscellaneous Petition has been filed seeking to accept the

cause title of the 5th respondent in the above second appeal.



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2. Mr.AR. Ramanathan, learned counsel for petitioner submitted that the 5th respondent herein was a minor while filing the suit, hence it reads as minor Devayani, represented by her mother Indira, 2nd respondent herein. However, she had attained majority and her name has been shown as aged 18 years in the judgment and decree passed in A.S.No. 12 of 2021. Furthermore, the inadvertently, the prefix to the name of 5th respondent 'minor' was deleted and her mother was not discharged. He would submit that the said inadvertent error is neither wilful nor wanton. Therefore, it is just and necessary to file the present petition praying to accept the cause title.

3. Considering the facts and circumstances, and being satisfied with the reasons assigned in the affidavit as justifiable one, this petition is allowed. Registry is directed to carry out necessary amendment in the cause title and to number the above Second Appeal it is otherwise found to be in order and post the matter on 27.03.2025.

11-03-2025

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



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T.V.THAMILSELVI J.

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