



CRP(MD). No.1619 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 09/06/2025

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

**CRP (MD). No.1619 of 2025
and CMP(MD) No.8388 of 2025**

Sundaram

... Petitioner

Vs

1.Thirupathi

2.Sankaran

3.Aanandan

4.The Sub Registrar
O/o.Sub Registrar Office,
Thiruppuvanam Taluk
Sivagangai District

... Respondents

PRAYER :-Civil Revision Petition filed under Article 227 of the Constitution of India against the fair and decreetal order in IA No.11 of 2024 in O.S.No.12 of 2020 dated 21.04.2025 on the file of the District Munsif cum Judicial Magistrate Court, Thiruppuvanam.

For Petitioner : Mr.R.Senthilkumar

For Respondents : Mr.B.Saravanan for R4
Additional Government Pleader



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ORDER

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The Civil Revision Petition is filed against the fair and decreetal order in IA No.11 of 2024 in O.S.No.12 of 2020 dated 21.04.2025 on the file of the District Munsif cum Judicial Magistrate Court, Thiruppuvanam.

2. Since no adverse orders are going to be passed against the respondents 1 to 3, notice to the respondents 1 to 3 is dispensed with.

3. The learned counsel for the petitioner would submit that the petitioner filed suit for declaration to declare that the suit property also belongs to him and to declare that the 2nd property in the mentioned release deed is null and void. However, he has not prayed for any injunction. However, he has averred in the petition instead Section 25(b) of the Court Fees Act, he has mentioned 25(b) of the Court fees Act and that the petitioner has filed an interlocutory application for an amendment of the said section. However, the said application was dismissed on the ground that the petitioner did not ask for permanent injunction and without asking injunction, amendment is impermissible



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and against such dismissal, the petitioner is before this Court with this civil revision petition.

4. The learned counsel for the petitioner, on instructions, would submit that the petitioner may be permitted to file fresh amendment petition by incorporating injunction as well as amendment of petition.

5. In view of the limited relief now sought for by the petitioner, this Court, without interfering with the order impugned, grant liberty to the petitioner to file an application for amendment and if such an application is filed, the trial Court shall adjudicate/consider the same in accordance with law, after providing an opportunity of hearing to the petitioner.

6. With the above direction, the civil revision petition is disposed of. No costs. Consequently connected Miscellaneous Petition is closed.

09.06.2025

NCC : Yes/No
Index : Yes/No

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TO

1.The District Munsif cum Judicial Magistrate Court,
Thiruppuvanam.

2.4.The Sub Registrar
O/o.Sub Registrar Office,
Thiruppuvanam Taluk
Sivagangai District

3.VR Section
Madurai Bench of Madras High Court, Madurai.



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M.DHANDAPANI,J

RR

**ORDER
IN
CRP(MD) (NPD) No.1619 of 2025**

Date : 09/06/2025