

C.R.P.(MD)No.1698 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.06.2025

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(MD)No.1698 of 2025

and

C.M.P.(MD)No.9084 of 2025

M.Ramachandran

...Petitioner

Vs.

Ramachandran (Died)

1.Amsaveni

2.Saravanakumar

3.Saranya

4.Subash @ Thirumalai

...Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, praying to set aside the fair and decreetal order passed in I.A.No.368 of 2024 in O.S.No.69 of 2018 dated 05.03.2025, on the file of the District Munsif cum Judicial Magistrate, Natham and allow the Revision Petition with costs.

For Petitioner : Mrs.Juliet Latha



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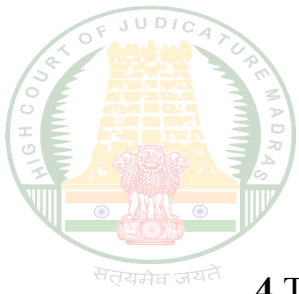
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ORDER

This petition has been filed seeking to set aside the order passed in I.A.No.368 of 2024 in O.S.No.69 of 2018 dated 05.03.2025, on the file of the District Munsif cum Judicial Magistrate, Natham.

2.Since no adverse orders are passed, notice to the respondents is dispensed with.

3.The petitioner is the defendant in O.S.No.69 of 2018. The respondents / plaintiffs filed a suit for permanent injunction, restraining the petitioner / defendant from interfering with the respondents' property. The respondents described their property with Perumal Temple on the eastern side boundary. When the petitioner / defendant filed written statement disputing the respondents / plaintiffs description of the suit schedule property, the respondents / plaintiffs filed amendment petition in I.A.No.368 of 2024 for amending the eastern boundaries as Perumal temple and the defendant property. The same was allowed. Challenging the same, the present Civil Revision Petition is filed.



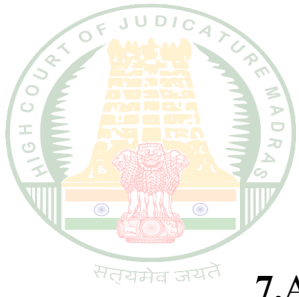
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4.The learned Counsel for the petitioner / defendant would submit that the defendant filed counter saying that as per the survey sketch marked through Ex.B.1., the S.No.373/1A, to an extent of 7 cents is the land owned by the Principal of the petitioner / defendant, and on the eastern side of the petitioner's principal's land are the lands bearing S.Nos.373/1C and 373/1D and on the eastern side of the aforesaid lands is the Perumal Temple situated. However, intentionally the respondents / plaintiffs are seeking to amend the eastern boundaries, as if Perumal temple is also owned by the defendant, which is unacceptable.

5.Heard the learned Counsel for the petitioner.

6.During the pendency of the suit, after cross-examination of the P.W.1., the present amendment petition has been filed seeking to amend the eastern side of the boundaries as Perumal Temple and the petitioner / defendant's land. The amendment does not mention as if the temple belongs to the petitioner / defendant. The petitioner misconceived the amendment petition. Amending the boundaries will not cause prejudice to the petitioner. Accordingly, this Court does not find any error in the order passed by this Court.



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7. Accordingly, this Civil Revision Petition stands dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

19.06.2025

Internet: Yes/No

Index: Yes/No

MR



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To

- 1.The District Munsif cum Judicial Magistrate,
Natham.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

MR

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