



CRP(MD). No.1671 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 08/07/2025

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

**CRP (MD). No.1671 of 2025
and CMP(MD) No.8861 of 2025**

1. N.Jeyaraj,

2. R.Sethu

... Petitioners

Vs

1. Nallaponnu

2. Ponnammal

3. Alagu

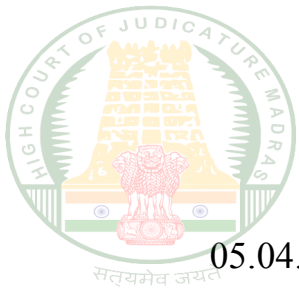
4. Kumar

5. Founder Rajendran C.R.Engineering College,
S/o.Late. Rajendran, D.No.34, Ganesapuram,
K.Pudur, Madurai Town..

6. R.Vedharajan,
(C.R.Anand Education Trust Founder /Managing Trustee)
D.No.34, New Door.No.45,Ganesapuram, K.Pudhur,
Madurai-7. ... Respondents

PRAYER :- Civil Revision Petition filed under Article 227 of The
Constitution of India to set aside the fair and decreetal order dated

1/5



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05.04.2025 passed in I.A.No.3 of 2023 in O.S.No.103 of 2022 on the file of Sub Court, Melur.

For Petitioners : Mr.M.P.Senthil

For Respondents : M/s.A.Tamilarasi for R1

Mr.R.Venkatesan for R2 to R4

No appearance for R5&R6

ORDER

The Civil Revision Petition is filed against the fair and decreetal order dated 05.04.2025 passed in I.A.No.3 of 2023 in O.S.No.103 of 2022 on the file of Sub Court, Melur.

2. The learned counsel for the petitioners would submit that the petitioners are the defendants and the plaintiff filed a suit in OS No. 103/2022 for partition against the defendants, in which, he has also filed IA No.3/2023 for amendment of plaint for declaration of the documents dated 09.03.1990 and 02.09.2021 under Order VI Rule 17 of the Civil Procedure Code and the same was allowed by the trial Court. The learned counsel would submit that without discussing on the law of limitation, the trial Court allowed the petition for amendment of the plaint. However, the learned counsel would submit that this Court may



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issue a direction to the trial Court to decide the same during trial and liberty may be granted to the petitioner to raise the limitation ground.

3. I have considered the rival submissions and perused the materials available on record.

4. Upon considering the submissions made, it is seen that the suit is of the year 2022 and within a period of three years, the application for amendment was filed and the same was ordered. By the said amendment, no prejudice would be caused to the petitioners/defendants 5 and 6. Accordingly, the civil revision petition is dismissed with liberty to the petitioners to raise the ground of limitation by filing additional counter statement. No costs. Consequently connected Miscellaneous Petition is closed.

08.07.2025

NCC : Yes/No
Index : Yes/No
RR



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TO

1.The Sub Court, Melur.

2.VR Section

Madurai Bench of Madras High Court, Madurai.



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M.DHANDAPANI,J

RR

**ORDER
IN
CRP(MD) (NPD) No.1671 of 2025**

Date : 08/07/2025