



CRP(MD). No.3666 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 03.12.2025

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THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

CRP(MD). No.3666 of 2025

and

CMP(MD) No.19401 of 2025

1.Santhanam

2.Kannan

3.Katturaja

4.Jayapal @ Gopal

... Petitioners

Vs

1.Kannan

2.Meenakshi

3.Muthulakshmi

4.Malarkodi

5.Ananthakumar

... Respondents

PRAYER :-Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 10.11.2025 passed in I.A.No.10 of 2025 in O.S.No.393 of 2010 on the file of the Principal District Munsif Court, Thirumangalam, Madurai District.

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For Petitioners : Mr.R.Aravindan

For R1 : Mr.T.Pon Ramkumar

ORDER

This Civil Revision Petition has been filed to set aside the order dated 10.11.2025 made in I.A.No.10 of 2025 in O.S.No.393 of 2010 on the file of the Principal District Munsif Court, Thirumangalam, Madurai District.

2.The learned counsel for the petitioners submits that the petitioners/plaintiffs have filed a suit in O.S.No.393 of 2010 on the file of the Principal District Munsif Court, Thirumangalam, Madurai District, for declaration and injunction, in which, due to inadvertence, the four boundaries mentioned in the document, namely, Ex.A2, have not been incorporated in the schedule of property mentioned in the plaint. Hence, the petitioners have filed an application in I.A.No.10 of 2025 in O.S.No. 393 of 2010, to amend the plaint. However, the trial Court, without considering the facts, which is an inadvertent error, dismissed the amendment application. He would further submit that if the amendment



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is not made, the petitioners will put to irreparable loss and undue action.

Therefore, he seeks interference of this Court with the order impugned in this Civil Revision Petition.

3.I have considered the arguments advanced by the learned counsel for the petitioners and the learned counsel for the first respondent and perused the materials available on record.

4.The suit for declaration and injunction was instituted as early as in the year 2010 and the present amendment application has been filed only in the year 2025. The petitioners, without filing an amendment petition immediately on filing the written statement, is now attempting to amend the plaint. Such amendment is being sought after a lapse of 15 years, for which, no reasons have been given by the petitioners. The inordinate delay in the present case also defeats the petitioners' case. Further, the trial Court has recorded a finding of fact that P.W1 was cross-examined on 25.11.2021 and the suit is pending for nearly 15 years and that only with an intention to protract the proceedings, the application to amend the plaint had been filed.



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5. For the aforesaid reasons, I do not find any merit in the Civil Revision Petition. Accordingly, this Civil Revision Petition stands dismissed. Considering the fact that the suit is of the year 2010, there shall be a direction to the learned Principal District Munsif, Thirumangalam, Madurai District, to dispose of the suit within a period of six months from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

03.12.2025

mm

To

The Principal District Munsif, Nagercoil.



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N.SENTHILKUMAR, J.

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