



WEB COPY



CMP No. 1656 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-01-2026

CORAM

THE HON'BLE MR.JUSTICE P.B. BALAJI

CMP No. 1656 of 2026

IN

AS NO. 155 OF 2025

Velumani
S/o.Rangasamy gounder,
Kattuguvvari,
Nonaiyavadi Village,
Ulundurpet Taluk.

..Petitioner/Appellant(s)

Vs

Ansar Ali
S/o.Abdul Rauf,
Vari Street,
Melapalayam village,
Pidaagam Town,
Ulundurpet Taluk

..Respondent/Respondent(s)

Prayer : Civil Miscellaneous Petition filed under Order 6 Rule 17 of C.P.C., r/w. Section 151 of CPC, praying to amend/add the prayer in the suit, OS No.15/2024 on the file of the Principal District and Sessions Judge, Kallakurichi after the prayer No.1 “In the alternative, without prejudice to the main prayer of specific performance, the Honble Court may graciously be pleased to direct the defendant to pay the advance of amount of Rs.12,00,000/- (Rupees Twelve Lakh Only) together with interest at the rate of 18 percentage from 09.12.2025 till the date of realization” and pass such further or other orders as this Honble Court.



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For Appellant(s): Mr.C.Munusamy
For Respondent(s): Mr.M.Muruganantham

ORDER

The learned counsel appearing for the petitioner submitted that the parties have not reached any settlement. Hence, the petitioner/appellant has taken out this application in C.M.P.No 1656 of 2026 seeking permission to amend the relief in the suit, seeking refund of the advance amount of Rs.12,00,000/-, together with interest at the rate of 18% per annum, from 09.12.2025 till the date of payment.

2. The learned counsel appearing for the respondent states that the respondent is willing to settle the matter and that he has also given proposal for amicable settlement.

3. The settlement talks, if any, will not come in the way of the petitioner being entitled to amend the plaint, seeking alternate relief of refund of amount. In any event, his entitlement for the refund of amount and interest would be tested at the time of the hearing the appeal. Hence, I am inclined to allow the application in C.M.P.No.1656 of 2026, permitting the petitioner to amend the plaint to incorporate the alternate



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relief. The learned counsel for the plaintiff shall carryout necessary amendment in the plaint within a period of two weeks from today and shall file amended copy of the plaint within a period of one week thereafter.

4. Post the appeal for final hearing on 20.02.2026. It shall be open to the respondent to negotiate the settlement in the mean time.

30-01-2026

Index : Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No

RTS

To

1. The Principal District and Sessions Judge,
Kallakurichi.



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P.B.BALAJI, J.

RTS

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