



WEB COPY

CRP No. 1248 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 1248 of 2026

AND

CMP NO. 6139 OF 2026

1. Andal

W/o .Shanmugam, Pelasur Village,
Polur Taluk, Tiruvannamalai District.

Petitioner(s)

Vs

1. Kuyilammal (Died), 1.Indira

W/O. Annamalai Pillai, Kommanandhal
Village, Polur Taluk, Tiruvannamalai
District. Venkatesan (Died)

2.Ramamoorthy

S/o. Annamalai, Pelasur Village, Polur
Taluk, Tiruvannamalai District.
Kuppammal (Died)

3.Sagunthala Ammal

W/o. Sarangan, Savalampadi Village,
Ginjee Taluk, Villupuram Dist.

4.Mageswari

W/o. Late Venkatesan, Kommanandhal
Village, Polur Taluk, Tiruvannamalai
District.

5.Minor Pavesh

S/o. Late Venkatesan, Guardian of
minor is his mother Mageswari,
Kommanandhal Village, Polur Taluk,
Tiruvannamalai District.

6.Rathina Pillai

S/o. Manicka Pillai, Kommanandhal



Village, Polur Taluk, Tiruvannamalai District.

7.Gopal

S/o. Rathina Pillai, Kommanandhal Village, Polur Taluk, Tiruvannamalai District.

8.Parameswari

W/o. Ramamoorthy, No.5/B, Appukutti Street, Murugapakkam Village, Dhindivanam Taluk, Villupuram Dist.

Respondent(s)

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PRAYER

To set aside the fair and decretal order dated 03.11.2025 passed in I.A.No.9 of 2025 in O.S.No.24 of 2000 on the file of District Munsif Court, Polur, Tiruvannamalai District and allow the CRP and thus render justice.

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For Petitioner(s): S.Gunaseelan
Sujatha Gunaseelan
G.Lokeshwaran
G.Shakthipriya
S.Siva Sankari
A.Sanjay

For Respondent:

ORDER

This Civil Revision Petition has been filed seeking to set aside the fair and decretal order dated 03.11.2025 passed in I.A.No.9 of 2025 in O.S.No.24 of 2000 on the file of District Munsif Court, Polur, Tiruvannamalai District.

2. The petitioner herein filed I.A.No.9 of 2025 in O.S.No.24 of 2000 on the file of District Munsif Court, Polur, Tiruvannamalai District, seeking to

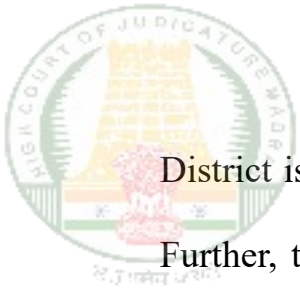


amend the plaint in OS No. 24 of 2000. Upon hearing both sides, the Trial Court dismissed the application holding that the plaintiff was not diligent during the trial of the suit especially when DW.1 deposed with respect to Court fees and it would cause injustice to the defendants who are contesting the suit from the year 2000.

3. The learned counsel for the petitioner submits that as per prayer sought in the plaint, the plaintiff should have mentioned Section 25(a) of Tamil Nadu Court Fees Act but erroneously mentioned as Section 25(b) of Tamil Nadu Court Fees Act. Therefore, the necessity arose for the petitioner to file amendment application during cross examination of D.W.1. But without considering the said averments the Trial Court dismissed the petition. The amendment prayed by the petitioner is related to payment of Court fee. If at all payment of Court fee is under dispute, as on date, the matter is part heard and in respect of Court fees no separate issues framed. In such circumstances the amendment would not cause any prejudice to the respondents nor it would change the course of the suit. But the Court below without appreciating the above dismissed the said application.

4. Heard the submission of the learned counsel for the petitioner.

5. Considering the fact that if the opportunity is not given to the petitioner her valuable right to prove her case will be defeated. Hence, this Court is inclined to allow this petition. Accordingly, the order passed in I.A.No.9 of 2025 in O.S.No.24 of 2000 by the District Munsif Court, Polur, Tiruvannamalai



District is hereby set aside. I.A.No.9 of 2025 in O.S.No.24 of 2000 is allowed.

Further, the Trial Court is directed to frame the issue in respect of Court fees and liberty is granted to the respondents to file additional written statement, if any, before the Trial Court. Since the suit is of the year 2000, the Trial Court is directed to dispose the suit as early as possible.

6. In the result, this Civil Revision Petition is allowed. No Costs. Pending petition, if any, is/are closed.

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1. The District Munsif Court, Polur, Tiruvannamalai.
2. The Section officer, V. R Section, High Court, Madras.



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