



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-03-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 1562 of 2026

AND

CMP NO. 7363 OF 2026

1. Ramanathan

S/o. Periyasamy, D.No.4, Periyanan St,
Modachur Village, Gopichettipalayam
Taluk, Erode Dt.

Petitioner(s)

Vs

1. C. Dhakshinamurthy

S/o. K. Chandran, D.No.728, G.D.
Road, Kolappalur, Gopichettipalayam
Taluk, Erode Dt.

2.P. Loganathan

S/o. Periyasamy, D.No.4, Periyanan St,
Modachur Village, Gopichettipalayam
Taluk, Erode Dt.

3.Deivanai Ashok

W/o. Ashik Kehnariyas, BW-101,
Kalyanaraman St, Dharga Road,
Zameen Pallavaram, Chennai.

4.K. Chandran (died) 4. Manager

Tamil Nadu Mercantile Bank,
Gopichettipalayam Taluk, Erode Dt.

Respondent(s)

CRP No. 1562 of 2026

PRAYER

To set aside this Civil Revision Petition and dated 30.01.2026 made in IA No.15 of 2025 in OS No.25 of 2018 on the file of III Additional District Judge Erode at Gopichettipalayam.



WEB COPY

CRP No. 1562 of 2026



CRP No. 1562 of 2026

For Petitioner(s): MR.B.Manoharan

For Respondent(s):

ORDER

This Civil Revision Petition has been filed seeking to set aside the order passed in IA No.15 of 2025 in OS No.25 of 2018 on the file of III Additional District Judge Erode at Gopichettipalayam.

2. The first respondent/plaintiff filed I.A No. 15 of 2025 in OS No. 25 of 2016 under Order 6 Rule 17 CPC seeking to amend the plaint stating that he filed the suit seeking 1/9th share in the suit property along with other consequential relief. While so, 4th defendant died on 16.06.2025, therefore on the death of 4th defendant his share devolves upon the plaintiff and 3rd defendant are his only legal heirs. Accordingly, the plaintiff/first respondent's entitlement is increased to 1/6th share in the suit property and the plaint requires to be amended to that effect. On the other hand, the 2nd and 3rd respondent/1st and 2nd defendants filed counter raised objection to allow the application.

3. On hearing both sides, the Trial Court held that plaintiff wants amend the pleadings on death of his father/4th defendant. Though the plaintiff claimed 1/9th share while filing the suit, after the death of his father/4th defendant the plaintiff claiming 1/6th share in the suit property to that effect he filed the



plaint. Mere amending the plaint would not give absolute entitlement to the plaintiff and the first defendant is having right to file additional written statement after amending the plaint. Accordingly allowed the application. Aggrieved over the same, the petitioner/first defendant filed this petition.

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

5. Admittedly, as rightly pointed by the Trial Court, if at all any grievance with regard to entitlement of share the aggrieved parties are entitled to file additional written statement. Further, only after full fledged trial the Trial Court will decide the entitlement of the plaintiff's share in suit property, mere amending the plaint would not means the plaintiff is entitled to share as amended in the plaint. Hence, the findings rendered by the Trial Court is justifiable one which needs no interference. However, the suit is of the year 2018, the Trial Court is directed to dispose of the suit within a period of three months from the date of receipt of a copy of this judgment.

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

17-03-2026

pbl

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1. The III Additional District Judge Erode at Gopichettipalayam.

2. The Section Officer, V. R Section, High Court, Madras.



WEB COPY

CRP No. 1562 of 2026



T.V.THAMILSELVI J.
pbl

**CRP No. 1562 of 2026
AND CMP NO. 7363 OF
2026**

17-03-2026