



WEB COPY

CRP No. 2222 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-01-2026

CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

**CRP No. 2222 of 2024 and
CMP.No.11737 of 2024**

1. VEDIYAPPAN
2. RAMASAMY

..Petitioner(s)

Vs

1. Subramani
2. Dhiravidamani
3. Kalaimani
4. Shanmugam
5. Govindharaj
6. Ganesan
7. Karthikeyan
8. Selvi @ Tamilselvi
9. Periyavedi
10. Minor Tharun Kumar
S/o.P.Ganesan, Rep. by Next Friend/Mother
G.Kavitha,
Orappam Village and Post, Bargur Taluk,
Krishnagiri District
11. M/s.Shri Ram Transport Finance Co. Ltd.
Rep. by power of Attorney D.Ramki,
No.737/1B, R.K.Tower, 1st Floor,
(Near TVS Show Room),
Maruthi Nagar Entrance,
Bangalore By-pass Road, Hosur,
Krishnagiri District

..Respondent(s)

Prayer: The civil revision petition filed under Article 227 of Constitution of India, praying to aside the Docket order dated 04.01.2024 made in the Memo dated 08.11.2023 in OS No.28/2022 on the file of the Learned Additional Subordinate Judge, Krishnagiri, Krishnagiri District.

For Petitioner(s):	R.Vasudevan
For Respondents 1 to 6	: No appearance
For R7 to R11	: Private notice served-No appearance



ORDER

It is seen from the cause list that respondents 1 to 7, 9 and 10 refused court notice. However, the private notice served on them and their names appear in the list. Though one V.Devendhiran filed vakalat for respondents 1 to 6, the vakalat was returned by the registry for certain defects and there is no representation for respondents 1 to 6. As far as respondents 7 to 10 are concerned, they were served by private notice and their names appear in the list. The court notice is served on the 11th respondent and his name appears in the list.

2. The civil revision petition is filed by the petitioners/plaintiffs challenging the direction issued by the trial court directing the petitioners to amend the name of the father of the defendants 2, 3, 6 and 7 as Poovannan instead of Poovagoundar as described in the plaint.

3. After service of suit summons, the defendants 1 to 3, 6 and 7/respondents 1 to 3, 6 and 7 filed a memo stating that the name of their father was Poovannan and it was wrongly described as Poovagoundar in the plaint. To substantiate the same, they appeared to have filed their driving licence, Aadhar card, transfer certificate. The memo was opposed by the petitioners/plaintiffs by filing objection wherein it was reiterated by the petitioners that the correct name of the father of the defendants 1 to 3, 6 and 7 was only Poovagoundar not Poovannan. It was further stated in the objection that the defendants created a



forged partition deed as if their father's name was Poovannan.

4. From the memo filed by the contesting respondents and the objection raised by the petitioners, it is seen that there is a serious dispute with regard to the name of the father of the contesting defendants. Whether the father of the contesting defendants is Poovannan or Poovagoundar is a matter to be decided by the trial court based on the evidence to be let in by the parties at the time of trial. Therefore, the trial court ought not have directed the plaintiffs to amend the description of the defendants in the plaint without affording an opportunity to the plaintiffs to lead evidence. Hence, the impugned order is set aside and the the trial court is directed to frame an issue with regard to the correct description of the defendants in the suit. The same shall be taken up along with other issues at the time of final disposal. In case, at the time of final disposal, the Court comes to the conclusion that the name of father of defendants is Poovannan, it can pass an order directing the plaintiffs to amend the plaint before delivering judgment.

5. With this direction, the civil revision petition stands allowed. Consequently, the connected miscellaneous petition is closed. No costs.

22-01-2026

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



CRP No. 2222 of 2



To

The Additional Subordinate Judge,
Krishnagiri, Krishnagiri District.



WEB COPY

CRP No. 2222 of 2



S.SOUNTHAR, J.

NR

**CRP No. 2222 of 2024 and
CMP.No.11737 of 2024**

22-01-2026