



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-04-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 1908 of 2026

and

CMP.No.8575 of 2026

1. Gomathi,
W/o.Late Gunasekaran,
Nanchiyampalayam Village,
Dharapuram Taluk, Trichy Coimbatore
Main Road, Vellakoil, Kankeyam
Taluk, Tiruppur District.

Petitioner(s)

Vs

1. Periyathal (Died),

1.Singaravelan,
S/o.Kumarasamy Gounder, Trichy
Coimbatore Main Road, Vellakoil,
Kankeyam Taluk, Tiruppur District.

2.Krishnaveni,
W/o.Ramasamy Gounder, D/o.Late
Kumarasamy Gounder, Trichy
Coimbatore Main Road, Vellakoil,
Kankeyam Taluk, Tiruppur District.

3.Sarojinidevi,
W/o.Ranganathan, D/o.Late
Kumarasamy Gounder, Trichy
Coimbatore Main Road, Vellakoil,
Kankeyam Taluk, Tiruppur District.

4.Ramasamy,
S/o.Muthusamy Gounder, Karur Town,
Karur District.



5.Velusamy,
S/o.Marappagounder, 84/94,
Ranimangammal Street, Karur Town,
Karur District.

Respondent(s)

PRAYER

Civil Revision Petition filed under Article 227 of the Constitution of India, prays to set-aside the disallowing amendment order and Final Order dated 07.02.2026 in I.A.No.2 of 2025 in O.S.No.70 of 2013 on the file of III Additional District and Sessions Judge, at Dharapuram.

For Petitioner(s): Mr.K.Sudhakar

For Respondent(s):

ORDER

The revision petitioner has filed this petition to set-aside the disallowing amendment order and Final Order dated 07.02.2026 in I.A.No.2 of 2025 in O.S.No.70 of 2013 on the file of III Additional District and Sessions Judge, Dharapuram.

2. At the stage of commencement of trial, the plaintiff filed an application seeking amendment of the plaint with regard to the sale deed dated 30.11.2006, as well as another document dated 19.11.1974. The plaintiff also sought to trace the title derived by Kumarasamy and further trace the chain of title through Document No.280 of 2002 and another sale deed of the year 1979. The said application was opposed by the defendants. The learned trial Judge dismissed the application, holding that the amendment was sought after commencement of trial and that, on an earlier occasion, upon the death of the



first defendant, the plaintiff had already been permitted to amend the pleadings.

The trial Court further held that the plaintiff had shown due negligence in not seeking the present amendment earlier, especially when the proposed amendments relate to documents that came into existence much prior to the filing of the suit.

3. However, the trial Court partly allowed the petition only to the extent of impleading the legal heirs of the first defendant and dismissed the application in respect of the other reliefs.

4. As on date, the trial has commenced and P.W.1 is under examination. The original suit was filed for partition and permanent injunction. By way of the present amendment, the plaintiff seeks to incorporate pleadings relating to three sale deeds and to trace the title.

5. Considering that proper adjudication of the dispute requires a complete understanding of the title and chain of documents, and if such opportunity is denied, it would cause hardship to the plaintiff and affect the valuable rights of the parties, this Court is inclined to allow the amendment.



6. Accordingly, the findings of the trial Court are set aside. The application in I.A.No.2 of 2025 in O.S.No.70 of 2013 on the file of III Additional District and Sessions Judge, Dharapuram, is allowed. Liberty is granted to the defendants to file an additional written statement in respect of the amended pleadings. The trial Court shall proceed with the matter in accordance with law.

7. The Civil Revision Petition is allowed. Consequently, the connected miscellaneous petition is closed. No costs.

22-04-2026

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



CRP No. 1908 of 2026



1. The III Additional District and Sessions Judge, Dharapuram.
2. The Section Officer, VR Section, High Court of Madras, Chennai.



WEB COPY

CRP No. 1908 of 2026



T.V.THAMILSELVI J.
rri

CRP No. 1908 of 2026

22-04-2026