



WEB COPY



CRP No. 3573 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-04-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 3573 of 2025 and CMP No.19301 of 2025

1. Gajendran
S/o Maruthamuthu, 1A, Rajaji Nagar,
Ariyalur

Petitioner(s)

Vs

1. Pari
S/o Sepperumal 10A, Oppillatha Amman
Kovil Street, Ariyalur
2.R.Rajalakshmi
W/o Rajaji, No. 24/6A, Periya Aranmanai
Street, Ariyalur
3.Vengatesan
S/o Rajaji, No. 24/6A, Periya Aranmanai
Street, Ariyalur

Respondent(s)

Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the order dated 31.07.2025 passed by the learned Principal District Judge, Ariyalur in I.A.No.5 of 2025 in O.S.No.71 of 2023.

For Petitioner : Mr.R.Thiagarajan

For Respondent(s): Mr.P.Valliappan
Senior Counsel
For M/s PV Law Associates
For R.1
M.R.Elavarasan
For R.2 and R.3



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ORDER

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Challenging the order passed in I.A.No.5 of 2025 in O.S.No.71 of 2023, the plaintiff has preferred the above revision.

2. Before the trial Court, the plaintiff has filed an application in I.A.No.5 of 2025 under Order VI Rule 17 of Civil Procedure Code to amend the pleadings in the main suit, but, the trial Court failed to give such opportunity and dismissed the application. Aggrieved by the same, the plaintiff has preferred the above revision.

3. Learned counsel for the revision petitioner/plaintiff submits that before commencement of trial, he came to know that certain important facts with regard to the right and title over the property are to be narrated which were omitted to be mentioned and therefore, the revision petitioner/plaintiff wanted to amend the pleadings by including two paragraphs and the learned counsel also states that by amending the pleadings, it would not change the character of the suit, but the trial court dismissed the application and therefore the learned counsel for the revision petitioner/plaintiff prays for the revision being allowed.



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4. Learned counsel for the respondents/defendants submits that the suit was filed in the year 2023 and immediately the plaintiff should have filed a petition , but, now the plaintiff has approached this Court without disclosing proper reasons, which is not maintainable. Further, learned counsel for the respondents/defendants submits that by amending the pleadings, it will change the character of the suit which is not permissible in law and therefore, the learned counsel prays for dismissal of the revision.

5. Heard the submissions of the learned counsel on either side and perused the materials available on record.

6. The plaintiff filed a suit in the year 2023 seeking declaration and now he wants to amend the plaint by including two paragraphs with regard to right and title over the property. The plaintiff is bound to give all particulars in respect of right and title over the property. However, learned counsel for the respondents objected by stating that the plaintiff came forward to amend the pleadings after commencement of trial. But, as on date, the trial has not commenced and the trial court failed to give opportunity to the petitioner.

7. In the light of the above, the order passed by the trial Court in I.A.No.5 of



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T.V.THAMILSELVI.,J

sr

2025 in O.S.No.71 of 2023 dated 31.07.2025 is set aside and the civil revision petition is allowed. However, liberty is granted to the respondents/defendants to file additional written statement, if any and thereafter, the trial Court is directed to dispose of the suit in O.S.No.71 of 2023 on merits and in accordance with law within a period of four months from the date of receipt of a copy of this order.

8. No costs. Consequently, connected miscellaneous petition is closed.

22.04.2026

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Index:yes/no

Website:yes/no

Speaking Order/Non-speaking Order

To

The Principal District Court, Ariyalur

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