WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-11-2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

CRP No. 3795 of 2023

CNR: {HCMA011810542023}

Case QR

R.Srinivasan

..Petitioner

Vs

1. Subbulakshmi
2. A. Murugesan
3. S Kamala
4. Rajeswari
5. Jeyalakshmi
6. Velmurugan
7. Jothimani
8. Radhamani

..Respondents

PRAYER: This Civil Revision Petition filed under Article 227 of the Constitution of India praying too set aside the Fair and Final Order Dated 22-06-2023 made in I.A.NO.1of 2022 in O.S.No.1651/2004 on the file of the Court of the Principal District Munsif, Erode.

https://www.mhc.tn.gov.in/judis

WEB COPY

For Petitioner : Mr. C.E.Pratap

For Respondents : Mr.S.Bala Ganesh for
R1 to R7
Mr. N.S.Suganthan for R8

ORDER

This Civil Revision Petition has been filed under Article 227 of the Constitution of India against the fair and decretal order dated 22.06.2023 passed in I.A.No.1 of 2022 in O.S.No.1651 of 2004 on the file of the Principal District Munsif Court, Erode, wherein the application filed by the petitioner/1st defendant to amend the Survey Number in the compromise petition filed in I.A.No.236 of 2006, came to be dismissed by the Court below.

2. Heard the learned counsel on either side, perused the materials available on record and carefully gone through the order passed by the Court below.

3. The 8th respondent filed the suit in O.S.No.1651 of 2004 seeking for the relief of partition. During the pendency of the suit, the parties were able to reach the compromise and all of them signed a compromise petition and filed

https://www.mhc.tn.gov.in/judis

WEB COPY

I.A.No.236 of 2006 to record the compromise and to pass a decree in terms of the compromise. While undertaking this exercise, due to over sight, the property in Survey No.311/7 at Villarasampatti village, Erode Taluk was left out. After the compromise decree was passed, the same was also registered as Document No.1355 of 2006. Later, it came to light that this particular Survey Number has been left out in the Compromise petition. Hence, an application was filed before the Court below to include this Survey Number in the compromise petition and this application was dismissed. Aggrieved by the same, the present revision has been filed before this Court.

4. In the considered view of this Court, both in the schedule to the plaint as well as the schedule to the compromise decree that was registered as Document No.1355 of 2006, there is a clear mention regarding Survey No.311/7. Due to over sight, it has been left out in the compromise petition which is sought to be incorporated to regularize the records. In view of the same, the said amendment can be allowed and Survey No.311/7 can be permitted to incorporate in the compromise petition by the Court below. Consequential amended compromise decree shall also be passed thereafter. This process shall be completed within a period of four (4) weeks from the date of receipt of a copy of this order.

https://www.mhc.tn.gov.in/judis

WEB COPY

5. In result, the order passed by the Court below is set aside and the present Civil Revision Petition is allowed in the above terms. No costs.

03-11-2026

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

To
Principal District Munsif Court, Erode

ksk

https://www.mhc.tn.gov.in/judis

WEB COPY

N.ANAND VENKATESH, J.

ksk

CRP No. 3795 of 2023

03-11-2026

https://www.mhc.tn.gov.in/judis