



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-02-2026

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CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

CRP No. 4592 of 2025 and

CMP.No.23276 of 2025

Palaniammal (Died)

Parvathi (Died)

1. Pavayee

Kuppusamy (Died)

2.Duraisamy

3.S.M. Murugesh

4.S. Valarmathi

5.Mahendran

6.Jeyamani

7.Chinnammal

8.M. Poovarajan

9.Velliangiri

10.Saraswathi

11.Palaniammal

12.Jothinathan

13.Sathiyamoorthi

14.Mohanasundaram

15.Subburathinam

16.Nithyadevi



17.Jayanthi

18.Murali

19.Gandhi

20.Malliga

21.M. Balasubramaniam

22.Chinnammal

23.Ganesan

24.Muthayammal

25.Jaganathan

26.S. Pappathi

..Petitioner(s)

Vs

1.P. Chenniappan

2.Arunan @ P. Srinivasan

3.Karuppannasamy

4.M. Padmanaban @ Sampath

..Respondent(s)

Prayer:- Civil Revision Petition filed under Article 227 of the Constitution of India praying to set aside the Fair and Decretal Order dated 27.06.2025 made in I.A. No. 11 of 2025 in O.S. No.464 of 2018 on the file of the II Additional District Munsif Court, Erode.

For Petitioner(s):

M/s. C. Munusamy

For Respondent(s):

Served-No appearance

ORDER

The civil revision petition is filed challenging the order passed by the trial Court allowing the petition for amendment filed by the 1st respondent/plaintiff.

2. The 1st respondent herein filed a suit for partition. Pending suit, the instant application has been filed seeking amendment of the plaint. It is the case



of the 1st respondent that in the body of the plaint while referring to rank of the defendants, the rank has been wrongly typed as 24 and 26 instead of 24 and 25.

It is further stated that in Paragraph No. 14, the rank of the defendant was wrongly typed as 25 and 26 instead of 26 alone. Further, the 1st respondent also wanted to include the sub-division survey numbers. The said amendment application was allowed by the Trial court and aggrieved by the same, the petitioner has come before this Court.

3. The learned counsel for the petitioner assailing the impugned order would submit that 1st respondent earlier filed a suit in respect of the very same suit property and the matter was decided by the Hon'ble Supreme Court. Therefore, the trial Court ought not have allowed the amendment application. Whether the suit property in the present suit and the suit property in the earlier matter are one and the same is a matter to be decided based on the pleadings of the parties in both the suits at the time of final disposal. Now, the 1st respondent wants to correct certain typographical error with regard to the rank of the defendants in the body of the plaint and also to include subdivision survey numbers for the suit properties. The amendment are only clarificatory in nature and allowing of the same will not cause prejudice to the petitioner. In any event, once the amendment application is allowed as a matter of right, the petitioner is entitled to file additional written statement. In the said additional written statement, the petitioner can raise all the defences and the same shall be considered by the Trial Court at the time of final disposal. Finding no prejudice



is caused to the petitioners, I am not inclined to interfere with the impugned order passed by the trial court. Accordingly, the civil revision petition stands dismissed. Consequently, the connected miscellaneous petition is closed. No costs.

13-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

The II Additional District Munsif Court, Erode.



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S.SOUNTHAR, J.

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