



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-03-2026

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 1004 of 2026

AND

CMP NO. 5391 OF 2026

1. Sammandhar,
S/o.Late Nara Reddiyar,
19/3, Saraswathi Nagar,
Panruti.
2. Sathishkumar,
S/o.Bashyam,
No.19/2, Saraswathi Nagar,
Panruti.

..Petitioner(s)

Vs

1. Vimalraj,
S/o.Baskar,
No.27/A, 7th Street,
Police Line, Panruti,
Panruti Taluk,
Cuddalore District.
2. Gomathi,
W/o.Bakkiyaraj,
Red Hills, Chennai.
3. Sudha,
D/o.Baskar,
27/A, 7th Street,
Police Line, Panruti.
4. Sasikala,
D/o.Baskar,
27/A, 7th Street,
Police Line, Panruti.



5. Santhiya,
D/o.Baskar,
27/A, 7th Street,
Police Line, Panruti.

6. Baskar,
S/o.Kannusamy,
27/A, 7th Street,
Police Line, Panruti.

..Respondent(s)

PRAYER

Civil Revision Petition filed under Art. 227 of Constitution of India, praying to set aside the Order and Decreetal Order dated 11.08.2025 made in IA.No.280 of 2023 in OS.No.149 of 2015 passed by the Learned District Munsif, Panruti, allow the Civil Revision Petition.

For Petitioner(s): Mr. S.Ganesh

ORDER

Challenging the impugned order passed in I.A.No.280 of 2023 in O.S.No.149 of 2015 by the learned District Munsif, Panruti, the Revision Petitioners/defendants 2 and 3 preferred this Civil Revision Petition.

2. Since the relief is claimed challenging the order passed by the trial judge, notice to the respondents is dispensed with.

3. Before the trial court, the respondents/plaintiffs 1 to 5 have filed an application in I.A.No.280 of 2023 in O.S.No. 149 of 2015 under Order 6 Rule 17 of C.P.C. to amend the plaint with regard to the date of partition deed as listed in the schedule. The said application was disputed by the defendants



stating that after the commencement of trial and while P.W.1 was also cross-examined in part, the said application was filed with an intention to include the entire extent of 1 acre 35 cents and the alleged amendment was also at the stage of trial. Therefore, they raised objections. Considering both side submissions, the trial judge had held that the amendment sought by the plaintiffs would not change the nature of relief nor brings a new property into dispute, but only makes the existing description more definite and precise by incorporating the date 19.11.1988, thereby the delay in filing the petition was procedural and not malafide. Accordingly, the said application was allowed. Challenging the said findings, the defendants 2 and 3 have preferred this Civil Revision Petition.

4. The learned counsel for Revision Petitioners would submit that under the guise of the amendment, the Revision Petitioners wanted to include the entire extent of 1 acre 35 cents as suit property, but previously they have filed an application to include the entire extent, which was not considered and again, they came forward with the present application. But, the court below has failed to take into consideration and erroneously allowed the application. Hence, he prayed to set aside the findings of trial judge.

5. Considering both side submissions and on seeing the amendment sought by the respondents/plaintiffs 1 to 5, the fact reveals that they wanted to add one specific averment with regard to partition deed dated 19.11.1988, except that, they have not specifically mentioned any other extent of property. But, on seeing the suit property, it is only 45 cents, however, there is no



amendment sought by the plaintiffs to amend the description of the schedule of suit property. The amendment, which is sought only to first para of the plaint averment. Therefore, the objections raised on the side of Revision Petitioners is unwarranted one for the reason that entire extent is not claimed as suit property by the plaintiffs. Therefore, the trial judge has rightly observed that the date of partition deed alone is to be specifically mentioned in the plaint averment as such is permissible for the reason that the defendants also admitted the date of partition deed in the written statement in para 3. Therefore, the order passed by the trial judge requires no interference. Accordingly, this Civil Revision Petition is dismissed and the findings of the trial judge held in I.A.No.280 of 2023 in O.S.No.149 of 2015 in confirmed. However, liberty is granted to the Revision Petitioners to file additional written statement including the extent of the suit property before the trial court. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

02-03-2026

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

RPP

To

The District Munsif, Panruti.



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T.V.THAMILSELVI J.

RPP

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