



CRP(MD). No.327 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 20.02.2026

CORAM

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

**CRP(MD). No.327 of 2023
and CMP(MD).No.1599 of 2023**

1.Dhandapani
2.Shanmugavel

... Petitioners

Vs.

1.Sundaram
2.Thilagavathy
3.Parameshwari
4.Sivagnanam

... Respondents

PRAYER :-Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside fair and decretal order, dated 13.12.2022 passed in I.A.No. 849 of 2022 in O.S.No.969 of 2022 on the file of the Sub Court, Oddanchatram.

For Petitioners : Mr.M.P.Senthil

For Respondents : Mr.C.Sundaravadivel for R1 to R3

Mr.D.Venkatesan for R4

ORDER

This Civil Revision Petition has been filed seeking to set aside the fair and decretal order dated 13.12.2022 passed in I.A.No.849 of 2022 in O.S.No.



CRP(MD). No.327 of 2023

969 of 2022 on the file of the Sub Court, Oddanchatram.

WEB COPY

2.Heard the learned counsel appearing for the petitioners as well as the learned counsel appearing for the respondents and perused the materials available on record.

3.The said application was filed by the plaintiffs seeking amendment of the plaint with regard to the survey number mentioned in the agreement dated 22.04.2005. According to the petitioners, the survey number mentioned in the agreement contains a typographical error and therefore amendment of the plaint was sought. However, the trial Court dismissed the said application holding that the survey number mentioned in the agreement cannot be treated as a typographical error. Aggrieved by the said order, the present Civil Revision Petition has been filed.

4.The only point that arises for consideration is, whether the amendment sought by the revision petitioners can be allowed on the ground that the survey number mentioned in the agreement is a typographical error?

5.A perusal of the records shows that in the agreement, the survey



CRP(MD). No.327 of 2023

number has been mentioned as S.No.221/2 and in the plaint also the same survey number, namely S.No.221/2, has been mentioned. Therefore, the plea that the same is a typographical error, cannot be accepted. Hence, this Court finds no infirmity in the order passed by the trial Court.

6.At this juncture, the learned counsel appearing for the petitioners submitted that he may be permitted to file an appropriate application seeking amendment or rectification of the agreement, in the light of the judgment of the Hon'ble Supreme Court in ***Puran Ram v. Bhaguram & Another***, reported in ***(2008) 4 SCC 102***, wherein it has been held that the Court may, in its discretion, allow an application for amendment of plaint even where the relief sought to be added by amendment is allegedly barred by limitation, if such amendment subserves the ultimate cause of justice and avoids further litigation, should be allowed.

7.In view of the categorical finding of the Hon'ble Supreme Court in the above judgment, if any application is filed by the petitioners seeking amendment or rectification of the survey number in the agreement, the trial Court shall consider the same on its own merits, after issuing notice to the respondents and affording them an opportunity of hearing.



CRP(MD). No.327 of 2023

8. With the above observation, this Civil Revision Petition is disposed of.

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

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

20.02.2026

TM

To

1. The Subordinate Judge, Oddanchatram.
2. The Section Officer,
E.R. Section/V.R. Section,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



CRP(MD). No.327 of 2023

N.SENTHILKUMAR, J.

TM

CRP(MD). No.327 of 2023

20.02.2026