



C.R.P(MD)No.411 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 29.01.2026

CORAM

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

C.R.P(MD)No.411 of 2023

1.Senaithalaivar Mahajana Sangam

Rep by its President,
M.Nagappan,
Mettupatti Village,
Rajapalayam Taluk,
Virudhunagar District.

2.Senaithalaivar Mahajana Sangam

Rep by its Secretary,
Subramanian,
Mettupatti Village,
Rajapalayam Taluk,
Virudhunagar District.

... Petitioners/Petitioners/
Plaintiffs

Vs.

Rajalakshmi

...Respondent/Respondent/
Defendant

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the order dated 29.11.2022 made in I.A.No.1 of 2022 in O.S.No.660 of 2019 on the file of the District Munsif Court, Rajapalayam by allowing this civil revision petition.



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For Petitioners : Mr.Y.Prakash

For Respondent : Mr.C.Vakeewaran

ORDER

This Civil Revision Petition has been filed challenging the order made in I.A.No.1 of 2022 in O.S.No.660 of 2019, dated 29.11.2022 on the file of the District Munsif Court, Rajapalayam, wherein the application filed by the petitioners to amend the plaint was dismissed.

2. The learned counsel for the revision petitioners submitted that, at any stage of the proceedings, the Court may alter or amend the pleadings for the purpose of determining the real questions in controversy between the parties. In support of his contention, he relied upon the judgment of the Hon'ble Supreme Court in ***Rajesh Kumar Aggarwal vs. K.K. Modi, reported in AIR 2006 SC 1647.***

3. He further submitted that, in order to avoid multiplicity of proceedings, even a belated amendment may be permitted. In this regard, he placed reliance on the judgment in ***Pankaja vs. Yellappa, reported in AIR 2004 SC 4102.*** The trial Court, however, dismissed the application on the ground that the declaration sought under Section 25(d) of the



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Tamil Nadu Court Fees and Suits Valuation Act, 1955, is unacceptable.

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3. The learned counsel appearing for the respondent submits that the trial in O.S.No.660 of 2019 is in progress and if the amendment application is allowed, which will arise to a fresh cause of action and the entire plaint has to be restructured and it will defeat the main purpose of the suit itself.

4. Considering the submission made by the learned counsel appearing for the respondent, there is no reason to interfere with the order passed by the trial Court, dated 29.11.2022. Accordingly, this Civil Revision Petition is dismissed. Consequently, connected Miscellaneous Petition is closed. No costs.

29.01.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Indu

To

1.The District Munsif Court, Rajapalayam.

2.The Section Officer

Vernacular Section,

Madurai Bench of Madras High Court, Madurai.

N.SENTHILKUMAR,J.

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