



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.03.2026

THE HONOURABLE MR.JUSTICE **V.LAKSHMINARAYANAN**

C.R.P(MD)No.620 of 2026
and
CMP(MD) No.2886 of 2026

Thirumangalam Pandiyakula Kashtriya nadargal
Uravinmurai Nirvaga Committee (Reg. No.94/79)
63/35, Poochiyar Street
Thirumangalam -625 706
Madurai District
By its Secretary
P.K. Boominathan

... Petitioner

vs.

Kanda Blue Metals
Kanda Sands and Stones
Maikudi-625 706
Thirumangalam Taluk
Madurai District.
By its Owner/Authority
Savithri

... Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the order passed in I.A.No. 2 of 2025 in O.S.No. 203 of 2025 dated 23.01.2026 by the Learned VI Additional District Judge, Madurai and consequently allow the amendment petition in I.A. No. 2 of 2025.



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For Petitioner :Ms.C.K.Latha

For Respondent :Mr.J.Devasenan

ORDER

This Civil Revision Petition challenges the order passed by the learned VI Additional District Judge at Madurai in dismissing an application filed for amendment.

2.The plaintiff is the Civil Revision Petitioner. As a society, it presented a suit for permanent injunction, restraining the defendant from interfering with the peaceful possession and enjoyment of the suit property. Summons were served on the defendant. Defendant has also filed a written statement. When the matter was to be taken up for trial, the plaintiff noticed that the suit had originally been valued for Rs.10,00,000/- and the Court fee of Rs.30,000/- had been paid. It was at that stage, the plaintiff noticed that instead of valuing the suit at Rs.10,00,100/-, by typographical and clerical error, it had been wrongly typed as Rs.10,00,000/-.

3.In order to rectify the same, the society filed an application under Order VI Rule 17 to amend the value of relief and Court fee paid alone from



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Rs.10,00,000/- to Rs.10,00,100/- and from Rs.30,000/- to Rs.30,003/-, respectively. This application was not opposed by the defendant before the Trial Court.

4.The learned VI Additional District Judge at Madurai took up the application for disposal. He found that the amendment application itself had been presented only after a clarification had been sought by the Court. Hence, he came to the conclusion that no explanation was given by the plaintiff for the calculation given earlier and for the amendment now sought for and dismissed the same. Hence, this Revision.

5.I heard Ms.C.K.Latha for the petitioner and Mr.J.Devasenan for the respondent. I have gone through the records.

6.As rightly held by the learned Trial Judge, for the purpose of Court fee and jurisdiction, it is the valuation of the plaintiff alone, which matters. In this case, though the plaintiff had valued the suit at Rs.10,00,000/-, no objection as regards the valuation had been raised by the defendant in his written statement. The suit is still at a pre-trial stage. The parties have not yet entered the witness box. No issue of Court fee has been framed by the



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Court. It was at this stage that the plaintiff noticed that, instead of valuing the suit at Rs.10,00,100/-, it had been wrongly valued at Rs.10,00,000/-.

7.The purpose of Order VI Rule 17 of the Code of Civil Procedure is to enable a party to correct the errors, which have crept in at the time of drafting. When the defendant has not objected to the valuation made neither in the original written statement nor in the amendment application, the Court could have taken a lenient view of the amendment and allowed the same. The amendment neither changes the cause of action nor the frame of the suit. The suit being one for injunction, the issue of limitation also does not arise.

8.In the light of the above discussions, since the plaintiff is the person, who is rightfully by law entitled to fix the valuation and pay the Court fee, I am inclined to accept the Revision.

9.Accordingly, Civil Revision Petition stands allowed. The order passed by the learned VI Additional District Judge at Madurai in I.A.No. 2 of 2025 in O.S.No. 203 of 2025 dated 23.01.2026 is set aside. The plaintiff



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shall pay the Court fee within a period of two weeks from today. No costs.

Consequently, connected Miscellaneous Petition is closed.

Index :Yes / No
Internet :Yes / No
NCC :Yes / No
mm

23.03.2026

To

The VI Additional District Judge, Madurai.



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V.LAKSHMINARAYANAN, J.

mm

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