

**ORDERS ON IA.30**

This I.A. has been filed by the 9<sup>th</sup> defendant,  
under Order VI Rule 17 R/w Sec.151 of CPC

seeking for the insertion of application schedule amendment in the written statement by contending that the plaintiff has filed this suit against him and other defendants for the relief of partition and separate possession and such other relief. He has filed his written statement and at the time of filing written statement, the plaintiff mentioned him as 10<sup>th</sup> defendant in the plaint. He has also filed his written statement as 10<sup>th</sup> defendant. Meanwhile, the plaintiff amended his plaint and deleted the 10<sup>th</sup> number and added 9<sup>th</sup> number. Now, he is the 9<sup>th</sup> defendant in the said suit. Hence, it is just and necessary to amend his written statement as defendant No.10 changing to defendant No.9. The proposed amendment is very necessary for the proper adjudication of the case and the proposed amendment will not change the nature of the suit.

2. The counsel for the plaintiff submitted no objections to allow this IA.

3. Heard Sri. K.A., Advocate for applicant / 9<sup>th</sup> defendant. Perused the case records.

4. The points that arise for consideration are as follows:

1. Whether the proposed amendment is necessary for the effective adjudication of the suit on hand?

2. What order?

5. With reference to the material made available on record the above points answered as follows:

Point No.1 - In the Affirmative

Point No.2 - As per the final order, for the following;

### R E A S O N S

6. **Point No.1** :- This suit is for the relief of partition and separate possession with respect to the suit schedule properties. It is a matter of record that the applicant herein had been initially arrayed as 10<sup>th</sup> defendant and in view of amendment to plaint as per orders on IA No. 29, the ranking of the parties have been changed, wherein, the 10<sup>th</sup> defendant has been arrayed as 9<sup>th</sup> defendant. So therefore it is necessary to allow this application for formal amendment in the written statement as sought in the interest of justice and equity and by considering all the above aspects, the **point under consideration is answered in the Affirmative.**

7. **Point No.2** :- In view of the findings on the foregoing point, the following;

**ORDER**

I.A.30 filed by the 9<sup>th</sup> defendant, under order VI Rule 17 R/w Sec.151 of CPC is allowed.

For amendment of written statement and to file amended written statement by:  
03.02.2026.

(Dictated to the Stenographer directly on computer, corrected by me and then pronounced in open court on this 22<sup>nd</sup> day of January - 2026)

**Sd/-**  
Senior Civil Judge,  
Kadur.