

IN THE COURT OF MUNSIFF, MUVATTUPUZHA

Present : Sri. Tony T. Thadathil, JMFC-III Muvattupuzha,

In Charge of Munsiff, Muvattupuzha

Thursday, the 11th day of September 2025/ 20th Bhadra, 1947

I.A. No. 8/2025 in O.S. No. 115/2025

Petitioners/ Plaintiffs :

1. K.J. Mathew, S/o. Ouseph Mathew, aged 82 years, residing at Kochumuttom House, Mullapuzhachal P.O., Enanelloor Kara, Enanelloor Village, Muvattupuzha Taluk, Ernakulam District
2. Gracy Mathew, W/o. K.J. Mathew, aged 76 years, residing at Kochumuttom House, Mullapuzhachal P.O., Enanelloor Kara, Enanelloor Village, Muvattupuzha Taluk, Ernakulam District

By Adv. S. Asokan and Adv. Premji Sukumar

Counter petitioners/ Defendants :

1. Georgekutty Dominic, S/o. Dominic, aged about 50 years, residing at Kochumuttom House, Mullapuzhachal P.O., Enanelloor Kara, Enanelloor Village, Muvattupuzha Taluk, Ernakulam District
2. Dolphin, W/o. Ajo, aged about 42 years, residing at Mekkunnel House, Paingottoor P.O., Paingottoor Kara, Kadavoor Village, Muvattupuzha Taluk, Ernakulam District
3. Malu, D/o. Dominic, aged about 33 years, residing at Kochumuttom House, Mullapuzhachal P.O., Enanelloor Kara, Kadavoor Village, Muvattupuzha Taluk, Ernakulam District

For R1- By Adv. Paul Mathew

This petition came up for hearing on 25.08.2025 and this Court on 11.09.2025 delivered the following:-

ORDER

This is a petition filed under Order VI Rule 17 and section 151 of the Code of Civil Procedure, 1908, seeking the amendment of the plaint and IAs.

2. The first petitioner/ first plaintiff states that by way of inadvertance, the actual name and age of the defendants happened to be written as Georgekutty Dominic aged 50 years, Dolphin aged 42 years and Malu aged 33 years. Their actual name and age are Georgekutty D. Kochumuttam aged 36 years, Dolphy Ajo aged 40 years and Alphy D. Kochumuttam aged 35 years respectively. Hence it is prayed to permit the petitioners to correct the name and age of defendants as appearing in the plaint and other interlocutory applications in the above case.

3. First respondent/ first defendant filed objection stating that it is not specifically averred in the petition as to what is to be amended and where the amendment is to be effected. The amendment application is vague. There is no specific prayer in the amendment application regarding the matters sought to be amended. Hence, it is prayed to dismiss the above petition with costs.

4. Heard the learned counsel for petitioner and the learned counsel for first respondent. Perused the records.

5. Petitioners/ plaintiffs seek correction of the name and age of the respondents/ defendants, on the ground that their names and age were wrongly stated in the plaint due to inadvertent typing error. First respondent has not objected to the names and age proposed to be inserted by way of this petition. His objection is only that the petition is vague as to the places where the amendment is to be effected and as to what is to be amended. As regards the matter to be amended, however, the petition is clear. The names and age of respondents to be substituted by way of this petition, are clear therefrom. But, as rightly pointed out by the first respondent, it is not clearly stated as to where all the amendments are to be effected. Certainly, it is prayed to correct the name and age of respondents as stated in the plaint. The I.A.s to be amended are not clearly stated in the petition. Yet, for reason of that ambiguity, it is not just and proper to reject the prayer of petitioners. As of now, only one I.A. is pending in this case, that is I.A. 2/2025. Hence, the amendments can be permitted to be effected in the plaint and in I.A. 2/2025.

6. In the result, petition is allowed. Carry out amendments as prayed for, in the plaint and in I.A. 2/2025, within 7 days. Amended plaint and I.A. 2/2025.

Dictated to the Confidential Asst., transcribed and typed by her, corrected and pronounced by me in the open court on this the 11th day of September, 2025.

Tony T. Thadathil.
JMFC -III Muvattupuzha,
(In Charge of Munsiff)

APPENDIX:- NIL

Munsiff

I.A.8-2025 in O.S.115-2025

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**ORDER in
I.A. 8/2025 in O.S. 115/2025
Dated: 11.09.2025**