

**IN THE COURT OF PRINCIPAL DISTRICT JUDGE,
KANCHEEPURAM DISTRICT AT CHENGALPATTU.**

Present : **Tmt.J.Mavis Deepika Sundaravadhana, M.A., M.L.,**
Principal District Judge, Chengalpattu.

Wednesday the 3rd day of August 2022

E.A.No.1/2022

in

E.P.No.98/2016

M. Nagarajan . . . Petitioner / Plaintiff / Decree Holder.

/Vs/

1. Kanageshwari
2. A.Bhaskar
3. A.Mohan . . . Respondents / Defendants / JudgmentDebtors.

This petition came up before me in this court for final hearing on 15.7.2022, in the presence of Thiru.B.Venkatesan, Advocate for the petitioner and the respondents set exparte in the suit itself, upon perusing the relevant records and having stood over for consideration till this day, this court delivers the following,

ORDER

This is an application filed by the petitioner/decreed holder under Order 6 Rule 17 and Section 151 of CPC, praying to amend the schedule of property by including the survey number.

2. The case of the petitioner in brief :

The petitioner is the decree holder in EP. In the decree in suit the western boundary recites as “*West by Vellimani’s property, S.No.253/1*”. The said survey number 253/1 is omitted in the execution petition. Hence, the schedule of property requires amendment. Hence, the petition.

3. The respondents / judgment debtors were set exparte in the suit itself.

4. The point that arises for consideration is whether the application is liable to be allowed.

5. Point :

This petition is filed to amend the schedule of property in execution petition as per the decree. On perusal of decree in M.C.C.O.S.No.4209/2015 shows that the survey number is mentioned as **S.No.253/1** and the same is omitted to type in execution petition. The above omission has to be corrected. If not, it will create multiplicity of proceedings in future. Hence, it is necessary to amend the schedule of property in execution petition. Further the respondents / judgment debtors were set exparte in the suit itself and hence, notice is not necessary to the respondents/

judgment debtors. For the above said reasons, this court inclines to allow the petition.

6. **As the result, the petition is allowed. No cost.**

Dictated by me to the steno-typist, computerized by her directly, corrected and pronounced by me in open court, on this the 3rd day of August 2022.

Principal District Judge,
Chengalpattu.

Petitioner's side witnesses and exhibits :
Nil.

Principal District Judge,
Chengalpattu.