

**IN THE COURT OF THE DISTRICT MUNSIF AT MADURANTAKAM**

**PRESENT:** Tmt.R.Mahalakshmi., B.A., B.L.,  
District Munsif, Madurantakam

**Thursday, the 16<sup>th</sup> day of April, 2026**

**I.A.No.11/2025**

**in**

**O.S.No.61/2023**

1. Munusamy

2. Lakshmiammal

...Petitioners/Plaintiffs

**-Vs-**

1. Malliga

2. Logeshwari

3. Devaraj

...Respondents/Defendants

This petition coming up before me for final hearing in the presence of, M/s.J.Josephin Viji, Senthamizhan, counsels for Petitioners and respondents having been set exparte in main suit and upon perusing the materials placed on record, and having stood over for consideration till this day, this court delivers the following,

**ORDER**

This petition is filed by the Petitioners/Plaintiffs under Order VI Rule 17 read with Section 151 of Code of Civil Procedure, to amend the plaint.

**2. The averments stated in the petition, in brief :**

**(i)** The Petitioner herein is the 1<sup>st</sup> plaintiff in the suit and on behalf of 2<sup>nd</sup> plaintiff also. The petitioner states that the suit is filed by the plaintiff for the relief of permanent and for other relief as against the defendants with respect to the suit mentioned property. The petitioner states that they are the absolute owner of the suit schedule property and enjoyed the property absolutely. The petitioner states that at the time of filing suit the extent was wrongly mentioned in the plaint as 2943 sq.ft. Instead of 2926 sq.ft. and the boundaries mentioned in the plaint are wrongly mentioned as North by Road, instead of Passage sold to purchaser and remaining site

and house of vendor and South by Lakshmiammal land, instead of Periya Brahminar Street. Further Ad-measuring measurements were not added in the initial suit and may be added as East to West southern side 37 sq.ft. and northern side 39 sq.ft. north to south on both sides 77 sq.ft. nn between an extent of 2926 sq.ft.

**(ii)** The Petitioner further states that one of the schedule of properties was not mentioned as doc.no.1 and that has to be included as item no.2 in the A schedule. Further the petitioner states that due to typographical error the boundaries of B schedule is wrongly mentioned as north by Munusamy House, instead of House and site of Durai Pillai and South by Road instead of House and site of Munusamy. Hence the said mistake is a typographical error. Therefore it is necessary to amend the plaint. If the petition is not allowed the petitioner will be put to heavy loss and hardship. On the other hand no prejudice will be caused to the Respondent. Hence the petition.

3. The respondents 1 to 3/defendants 1 to 3 having been called absent and remained set exparte in the main suit.

**4. The point for determination is whether this petition is to be allowed or not?**

5. No Exhibits marked and no witnesses were examined on both sides.

6. Heard both sides and perused the records.

7. On perusal of records it reveals that the suit is filed by the plaintiff for the relief of permanent injunction as against the defendants with respect of the suit schedule property. The petitioner alleged that due to typographical error, the extent and boundaries in schedule of property is wrongly mentioned. Further the petitioner omitted to include one of the schedule of properties in the plaint schedule due to lack of knowledge.

8. Therefore this court considers that the object of Order 6 rule 17 of Code of Civil Procedure, is to enable the court to effectively adjudicate the real dispute between the parties and to avoid multiplicity of proceedings. In the present case, the proposed amendment appears to be necessary for deciding the real controversy between the

parties and further it does not introduce a new case or inconsistent case as the proposed amendment is only with respect to extent and boundaries, which is necessary for complete adjudication. Hence this court is inclined to allow this petition.

**11. In the result, this petition is allowed. No costs.**

Dictated to the Stenographer, typed by her and corrected and pronounced by me in open court on this the 16<sup>th</sup> day of April, 2026

Sd/-.R.Mahalakshmi  
District Munsif  
Madurantakam

**List of witness and documents on both side:- NIL**

Sd/-.R.Mahalakshmi  
District Munsif  
Madurantakam