

**N IN THE COURT OF THE II ADDITIONAL DISTRICT MUNSIF,  
NAGERCOIL.**

**Present : Selvi. V. Sivaranjani, B.A., L.L.B.,**  
II Additional District Munsif, Nagercoil.

Saturday, on the 26<sup>th</sup> day of July, 2025.

**I.A. No. 3 of 2025 in O.S. No. 53 of 2021**

**CNR No.TNKK04-000057-2021**

C. Kanaga Sabapathi

... Petitioner / Plaintiff

-vs-

1. P. Ayyathurai

2. Tahsildar, Agasteeswaram Taluk

3. State of Tamil Nadu,

rep. by its District Collector,

Kanyakumari at Nagercoil.

... Respondents /Defendants

This petition came before this court on 25.07.2025, for a final hearing in the presence of Mr. G. Sivakumar, learned Counsel for the petitioner/plaintiff, and Mr.S. Vijaya Raghavan, learned counsel for the 1<sup>st</sup> Respondent / 1<sup>st</sup> defendant, endorsed 'no counter' and Mr. C. Johnson, Government Pleader for the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents / 2<sup>nd</sup> and 3<sup>rd</sup> defendants, endorsed 'no counter' and upon hearing petitioner side, perusing the case records, and having stood over for consideration till this day, this court hereby delivers the following:

**ORDER**

The petitioner had filed the above petition under Order VI Rule 16 and 17 and Section 151 of the C.P.C. seeking to pass an order to amend the I.A.No.2 of 2024

**2) Gist of Averments in the Petitioner/Plaintiff's Petition :**

The petitioner herein is the plaintiff in the suit. The suit is posted for plaintiff's side further evidence. The suit schedule property, the 1<sup>st</sup> defendant who purchased the property from Munsenmi R/1 No. Co-Registrar of Kanyakumari, as No.1/3193/2018, 25 cents and instead of the property as per Documents they have given the property to 27.5 cents by sub-division. In order to investigate regarding that, a petition I.A.No,2 of 2024 has been filed to summon Agasteeswaram Tashildar and Taluk surveyor who is mentioned in the witness list for investigation in this regard to appear with documents and give evidence. In the above said I.A.No.2 of 2024 a survey number to Dharmapuram South has been typed mistakenly as 424/8 instead of 424/18. It is very necessary to amend the above survey number correctly. Otherwise, petitioner will be put to irreparable loss and damages. Hence the petition is allowed.

3) The 1<sup>st</sup> to 3<sup>rd</sup> Respondents Counsel endorsed “ No Counter ” in this petition.

4) The point for consideration is whether the above petition has to be allowed or not.

5) Point:

Heard. Records perused. The suit has been filed by the petitioner/plaintiff for relief of declaration and demarcation and other reliefs. Since, the survey number wrongly mentioned as 424/8 is only a typographical error and it is very much necessary to amend, this court is of the considered view to allow this petition.

6) As a result, this petition is allowed, No cost.

Dictated to the Steno-Typist directly, transcribed and typed by her in computer, corrected and pronounced by me in Open Court, this the 26<sup>th</sup> day of July 2025.

II Additional District Munsif  
Nagercoil.

List of witness and documents for Petitioner side : Nil

List of witness and documents for Respondents side : Nil

II Additional District Munsif  
Nagercoil.

I.A. No. 3 of 2025 in  
O.S. No.53 of 2021  
Fair Order  
Date: 26.07.2025.  
II ADM Court, Nagercoil.