

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

Present : Selvi. V. Sivaranjani, B.A., L.L.B.,

II Additional District Munsif, Nagercoil.
Wednesday, on the 24th day of June, 2026.

I.A.No.13 of 2026

in

O.S. No. 115 of 2015

CNR No.TNKK04-000154-2015

C. Kannan

... Petitioner / Plaintiff

-vs-

1. The State of Tamil Nadu
rep. by its District Collector,
Nagercoil.
2. The Tahsildar,
Agasteeswaram Taluk,
Nagercoil.
3. The Village Administrative Officer,
Kottaram

... Respondents / Defendants

This Petition came up before this Court on 17.06.2026 for a final hearing in the presence of Mr. M. Parameswaran, learned Counsel for the Petitioner / Plaintiff and Mr. C. Johnson, Government Pleader for the Respondents / Defendants and upon hearing both sides, perusing the case records, and having stood over for consideration till this day, this court hereby delivers the following:

ORDER

The petitioner has filed the above petition under Order VI Rule 17 and Section 151 of the Code of Civil Procedure, seeking to pass an order to amend the petition mentioned portions in the O.S.No.115 of 2015 plaint.

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

The petitioner is the plaintiff in the suit and has instituted the suit seeking a declaration of title and consequential permanent injunction against the defendants. The petitioner submits that while the suit was posted for further evidence on the side of the plaintiff, the present petition has been filed seeking amendment of the plaint schedule property description.

3. According to the petitioner, house tax receipts and Electricity Board receipts pertaining to the suit property have already been produced before this court and marked as Exhibits A1, A2 and A9 on the side of the plaintiff. The petitioner states that the said documents relate to the building bearing Door No.1-134-7 and Assessment No.ST-3. However, while preparing the plaint schedule property description, the aforesaid door number was inadvertently omitted due to a typographical error. As a result, the schedule property has been described only as an extent of 8 cents with a building having Electricity Service Connection No.07-14-015-142, without specifically mentioning the door

number of the building.

4. The petitioner further submits that the omission to mention Door No.1-134-7 in the schedule property is neither wilful nor intentional, but occurred solely due to an inadvertent typing mistake. The petitioner contends that the proposed amendment does not alter the nature or character of the suit, not does it introduce any new cause of action. On the contrary, the amendment is sought only for the purpose of properly describing and identifying the suit property in conformity with the documents already marked in evidence.

5. The petitioner therefore submits that inclusion of the said door number is necessary for the proper, effective and complete adjudication of the issues involved in the suit and prays that the amendment petition be allowed in the interest of justice.

6. **Gist of Averments in the Respondents Counter:**

The respondents/defendants contend that the petition filed by the plaintiff seeking amendment of the plaint is not maintainable either in law or on facts. According to them, no sufficient ground has been made out for entertaining the application at this stage. The respondents further contend that the proposed amendment is barred by limitation and that allowing the same would alter the nature and character of the suit. Hence, the petition is liable to be dismissed.

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

8) Heard both sides. Record perused.

The court has carefully considered the rival submissions and perused the materials available on record. The amendment sought by the petitioner is only for the purpose of incorporating the door number of the building in the schedule property description, which had been omitted due to a typographical error. The petitioner has also produced documents relating to the said building, including records containing the building door number. The proposed amendment does not introduce a new case, alter the identity of the property, or change the nature and character of the suit in any manner. The omission appears to be an inadvertent error and its correcting is necessary for property identification of the suit property. This court is satisfied that no prejudice would be caused to the respondents/defendants if the amendment is allowed. Accordingly, in the interest of justice and for the effective adjudication of the dispute, this court is inclined to allow this petition.

In the result, this petition is allowed. No cost.

The Order directly dictated to steno-typist typed in computer, and after making necessary corrections, and pronounced by me in the open court, this the 24th day of June 2026.

II Additional District Munsif
Nagercoil.

Petitioner side witness & Documents : Nil

Respondents side witness & Documents : Nil

II Additional District Munsif
Nagercoil.

I.A. Nos.13 of 2026

in

O.S. No.115 of 2015

Fair Order

Date: 24.06.2026.

II ADM Court, Nagercoil.