

IN THE COURT OF MUNSIF, VADIPATTI, MADURAI DT.

Present: Tmt. S. Vengadalakshmi, M.L.,
District Munsif (FAC)

Dated 06th day of January 2024

***I.A. No.04/2023 in I.A.75/2021
and***

I.A.No.05/2023 in I.A.No.76/2021

in

O.S. No.76/2016

I.A. No.04/2023 in I.A. No.75/2021:

1. Pushpam
2. Thangammal --- Petitioners/Plaintiffs

//Versus//

1. Seeni @ Sivaguruvan Chettiyar (Died)
2. Narayanasamy
3. Tamilselvi
4. Rajeswari
5. Palaniyammal
6. Nagu
7. Poovaraja
8. Bhuvaneswari
9. Thangamayil
10. Sevanthiyammal

11. Boomadevi --- Respondent/Proposed Party

and

I.A. No.05/2023 in I.A. No.76/2021:

1. Pushpam
2. Thangammal --- Petitioners/Plaintiffs

//Versus//

1. Seeni @ Sivaguruvan Chettiyar (Died)
2. Narayanasamy
3. Tamilselvi
4. Rajeswari
5. Palaniyammal
6. Nagu
7. Poovaraja
8. Bhuvaneswari
9. Thangamayil

10. Sevanthiyammal --- Respondents/Defendants
11. Boomadevi --- Respondent/Proposed Party

These petitions are filed before this court and they were taken on 07.11.2023 and Advocate Thiru. B. Dhanapanidan appeared for the Petitioners/Plaintiffs, R2 to R4 and R8 Ex-Parte and Advocate Thiru. N. Rajaji appeared for R5 to R7 and R9 to R11, and this petition came before me for final hearing on 06.01.2024 i.e. today. Upon hearing the arguments advanced on both sides, upon perusing the available material records, today this court has delivered the following...

Common Order

1. These two applications are filed to amend the date of death of D1 in IA Nos.75/2021 and 76/2021.
2. The Respondents side has not filed any counter. R2 to R4 and R8 were set exparte. Today the counsel for the Respondents has made endorsement that, the present application may be allowed on terms.
3. Upon verification of the prayer mentioned in these two applications, it is found that the prayer portion contains the wrong date of death as 05.12.2023 instead of correct date of death as 05.12.2017. The same is brought to the knowledge of the counsel for the Petitioners and the counsel for the Petitioners filed a memo to that effect on 06.01.2024.
4. Upon perusal and consideration of the case records, it is found that IA Nos.75/2021 and 76/2021 for the purpose of impleading the Legal Heirs of the deceased D1 in the main suit. Now the present applications are filed to amend the date of death of the D1 in those petitions. Even though the prayer portion contains with wrong particulars, the points to be amended was properly given in the down side of the petition.
5. Accordingly, on considering that fact and also on considering the fact that the Respondents side has not filed any counter. This court has inclined to allow these present applications along with the considering the memo filed today i.e on

06.01.2024.

6. These two amendment applications are allowed, to amend the date of death of the D1 from 13.12.2017 to 05.12.2017 in the petitions vide IA Nos.75/2021 and 76/2021.

7. Accordingly, these two applications are allowed. No order as to costs.

Dictated to the Steno Typist typed by her directly on the computer, corrected and pronounced by me in the court this the 06th day of January, 2024.

Sd/-

S. Vengadalakshmi
District Munsif(FAC),
Vadipatti.

Petitioners side evidence and documents : Nil

Respondents side evidence and documents : Nil

Sd/-

S. Vengadalakshmi
District Munsif(FAC),
Vadipatti.

TRUE COPY

DISTRICT MUNSIF COURT
Vadipatti
FAIR ORDER
I.A. No.04/2023 in I.A.75/2021
and
I.A.No.05/2023 in I.A.No.76/2021
in
O.S. No.76/2016
Date : 06.01.2024