

**IN THE PRINCIPAL DISTRICT MUNSIF-CUM-JUDICIAL MAGISTRATE,
GUDALUR**

**PRESENT :THIRU. G. SARAVANAKUMAR, B.A., B.L.,
Principal District Munsif-cum-Judicial Magistrate, Gudalur.
Wednesday, Dated 3rd day of June' 2026.**

**I.A.No.4/2026
in
O.S.No. 14/2024**

1. Mrs. Letchumi Devi
2. Mrs. Indira Devi
3. Mrs. Sundari
4. Mrs. Prema Rajendran

... Petitioners/ Plaintiffs

/Vs/

1. Mr.Jalendran
2. Mrs. Latchumi
3. Mrs. Shanmugapriya
4. Mr. Kantharaj

... Respondents/Defendants

For Petitioner : Advocate Mr. L.Dhayalan

For Respondent : Advocate Mr. N.Xavier

ORDER

1. This petition has been filed by the petitioner / plaintiff under Order 6 Rule 17 of C.P.C. for seeking amendment in the plaint.

2. The contention of the petitioner is that, due to inadvertent typographical error, wrong dates were mentioned in Page 5, Para 6, Line 7 of the plaint. The dates have been wrongly mentioned as 02.04.2023 instead of 02.03.2024, 10.04.2024 instead of 10.03.2024. The name of 1st plaintiff is Letchumi Devi, but in the said plaint her name is wrongly typed as Letchumi Devil. The correct dates are 02.03.2024

and 10.03.2024. The correct name is Letchumi Devi. The mistakes are purely clerical and not intentional. Hence this application for amendment.

3. The respondent taken notice on 08.04.2026 and failed to file his counter. Therefore the respondent was set exparte on 29.04.2026.

4. Before reverting the fact, While considering an application for amendment of pleadings, the court has to take into consideration whether such amendment is necessary for the purpose of determining the real question in controversy between the both parties. Though, it is true that the court while exercising the discretion under order 6 rule 17 is entitled to permit amendment of pleadings which it thinks just at any stage of proceedings, it always essential for the court to bear in the mind that such an amendment shall not cause prejudice to other side, which cannot be compensated by way of cost.

5. The court in exercise of its discretion can permit even such amendment take into consideration the special circumstance of the case to meet out the end of justice. Particularly, where the proposed amendment does not alter the character of the suit nor introduce a new cause of action. Originally, the dates in Para 6 of the plaint are mentioned as 02.04.2023 and 10.04.2023.

6. In the present petition it has been stated by the petitioner, that the petitioner herein mistakenly mentioned the above dates instead of 02.03.2024 and 10.03.2024 in the plaint. Hence seeking for amendment of the dates. The respondent did not raised any objection by way of counter.

7. Perusal of records further reveals that the petitioner seeking to amend the plaintiff name as Letchumi Devi instead of Letchumi Devil. The perusal of plaint reveals that the plaintiff name is mentioned as Letchumi Devi alone in Long cause

title as well as short cause title. Therefore the plaintiff is not entitled for the relief of amendment of the plaintiff name.

8. In such view, the amendment would not cause any injury to the respondents and does not alter the character of suit and not introduce a new cause of action. The proposed amendments has sought only to avoid technical objection. In this view, this petition deserves to be allowed.

9. In the result, this petition is partly allowed in respect of the dates mentioned in Para No.6 of the plaint. No costs.

Directly dictated by me, typed by the Stenographer-Typist through system attached with chamber, corrected and Pronounced by me in the open court on this the 3rd day of June 2026.

**PRINCIPAL DISTRICT MUNSIF-CUM-
JUDICIAL MAGISTRATE, GUDALUR.**