

**IN THE COURT OF THE I ADDITIONAL DISTRICT JUDGE
RANIPET, RANIPET DISTRICT.**

**Present: Thiru.A.BALAKRISHNAN, B.B.A., L.L.B.,
I Additional District Judge,
Ranipet.**

Tuesday, this the 2nd day of September 2025

I.A.No.3/2020

in

I.A.No.2/2019

in

O.S.No.52/2018

1. Sindhu
2. Savitha

..... Petitioners/Plaintiffs.

-Vs-

1. Chinnakuzhanthai @ Alamelu (Died)
2. Rukmani
3. Sundari
4. Suguna
5. Sathish
6. Kumar
7. M. Prabakar
8. D. Pandiyan
9. G. Chandiran
10. C.Krishnamoorthi

..... Respondents/Defendants.

11. The Village Administrative Officer,
Kizhminal Village,
Walaja Taluk, Vellore District.

12. The Thasildar,
Thasildar Office,
Walaja Taluk, Vellore District.

13. Assistant Engineer,
Assistant Engineer Office,
Operation and Maintenance,
Rathinagiri Village and Post,
Walaja Taluk, Vellore District.

14. The Christian Medical College, Vellore
Representative Secretary for its Association,
Vellore Town and District.

15. V.S.Nathan

16. L.Sathish

17. S. Kavitha

18. R.Srividhya

19. A. Kamalakannan

20. Munisamy

(Amended as per order in I.A.No.6/2024 dt.10.12.2024)

.....Respondents/proposed parties

This petition is coming before me for final hearing on 04.08.2025 in the presence of Thiru.M. Gnanam, Advocate for Petitioners/plaintiffs, Thiru.L.Manoharan, Advocate appeared for the respondents 2, 3, 10 & 20 but counter not filed Thiru.Kumara Selvam, Advocate for 4th respondent, Tmt.K.Sujatha, Additional Government pleader for proposed respondents 11 & 12, Thiru.D.Purushothaman, Advocate for 13th respondent, Thiru.C.Sampath, Advocate for 14th respondent, Thiru.T.A.Md.Akbar Basha, Advocate for 15th respondent and Thiru.A.G.Selvaraaj, Advocate for respondents 16 to 19 and the respondents 5 to 9 are called absent and set exparte and upon hearing the arguments of petitioners side, no representation for respondents and on perusal of all connected material records and having stood over for consideration till this date, this court passed the following;-

ORDER

The petitioners/plaintiffs have filed the application U/o 6 Rule 17 of CPC, seeking an order to amend the affidavit filed in I.A.No.2/2019.

1. The 1st petitioner has filed an affidavit for herself and on behalf of the 2nd petitioner stating that they have filed the application in I.A.No.2/2019 to implead the proposed parties as defendants 11 to 20 in the suit and in the affidavit filed along with the said application it was omitted to be stated that a separate application will be filed to include the properties sold and purchased by the proposed parties as 7th item in the suit and the petitioners have further stated that the affidavit in I.A.No.2/2019 to be amended accordingly.

2. The 15th respondent alone has filed a counter contending that the application is not maintainable without producing any document in respect of the proposed property to be added in the plaint schedule.

3. Point for determination is :-

Whether the application for amendment of the affidavit in I.A.No.2/2019 is deserved to be allowed?

Point:- a) The petitioners/plaintiffs have filed the above suit for partition and other reliefs. Pending the suit they have filed I.A.No.2/2019 seeking an order to implead the proposed parties as the defendants 11 to 20 alleging that there were sale transactions between the proposed parties in respect of the properties belonged to the grand father of the plaintiffs and hence they have to be added as parties to the suit. After filing counter by the contesting respondents in the above application, the petitioners have filed the present application just to incorporate few sentences in the affidavit to the effect that a separate application for adding the additional properties in the plaint as 7th item will be filed. Except the 15th respondent, other respondents have not filed any counter in this application. The 15th respondent has also not raised any serious objection in respect of the amendment sought for by the petitioners in this application. No prejudice will be caused in allowing this application. At the same time the delay caused at the instance to the petitioners by way of filing this application after filing of I.A.No.2/2019, might have affected the 15th respondent in some way and it can be compensated only by awarding cost. This point is answered accordingly.

In the result, the application shall be allowed on payment of cost of Rs.500/- to the 15th respondent/ proposed party on or before 12.09.2025; failing which the application shall be dismissed. Call on 15.09.2025.

Dictated by me to the Steno-typist transcribed and typed by her in the computer, corrected and pronounced by me in the open court, on this the 2nd day of September 2025.

I Additional District Judge,
Ranipet.