

IN THE COURT OF DISTRICT MUNSIF, THIRUVAIYARU

Present: Mr.P.RAMESH B.L.,
District Munsif, Thiruvaiyaru

Dated this is 03rd Day of July 2025, Thursday

I.A.No.414 of 2024

in

O.S.No.77 of 2016

T.N. Rajendhiran ... Petitioner/ 4th Defendant

Vs

1. Vijayakumari ... Respondent/ Plaintiff

2. District Collector, Thanjavur

3. Thasildar, Thiruvaiyaru

4. A. Ameer Jhan ... Respondent/ 1 to 3 Defendant

The petitions is filed Under order 6 rule 17 of C.P.C to amend the short cause title and long cause title in the affidavit, petition, Fair order and decretal order in I.A. No.123/2019.

Appearance:

For Petitioner/ 4 th Defendant	:	Mr.R. Palani
For Respondent/ Plaintiff	:	Mr.S.N. Kannan
For Respondent/ 1, 2 Defendant		Mr.G.P
For Respondent/ 3 rd Defendant		Mr.V. Balasubramaniyan

ORDER

1. Brief facts of the petition is the I.A. No.123/2019 filed by the Petitioner/ 4th Defendant was allowed on 07.03.2024. After got the copy of order it is known that the short cause title and Long cause title are mistakenly mentioned in his affidavit and petition, That also reflected in the fair and

decretal order. It is only by typical error. Therefore the petitioner prayed to allow the petitioner to amend the Short cause title and Long cause title in the petition with affidavit, fair and decretal order and thus render justice.

2. Brief fact of the counter is, the I.A.No.123/2019 was dismissed by this court. But the petitioner wrongly stated in the affidavit that the I.A.No.123/2019 was allowed on 07.03.2024. The petition to amend the decree and fair order is barred by law as it is a mistake knowingly committed by the petitioner T.N.Rajendran himself and could not be corrected. Further the sole aim of the petitioner is to drag on the proceedings for years. Further the plaintiff filed a suit for declaration that the plaintiff is a legally wedded wife of deceased Dharmaraj. The suit filed against the Government and Thasildar alone. The 3rd and 4th defendants are stranger and they impleaded themselves in the main suit. Therefore, it is prayed to dismiss the petition and thus render justice.

3. Heard both side, perused the Materials. The Points for consideration is whether the petition would be allowed? or not?

4. The main suit has been filed for the relief of declaration and consequential injunction and the same was taken on file on 28.04.2016. The issues were framed on 12.04.2017. Now the main case is pending for defendant side further evidence. In the meantime the I.A.No.123/2019 was pending from 13.03.2019 to 07.03.2024 by this petitioner/ 4th defendant. After a long period again this petition is filed by this petitioner / D4 on 05.12.2024 and same was pending till date.

5. Usually an affidavit and petition prepared by the Petitioner/ Litigants. Initially the petition and affidavit are mistakenly prepared by the 4th defendant. Accordingly the order also passed in the petition on merit. The mistake committed in the Short cause title and Long cause title by only the petitioner/D4, either typically or intentionally does not known to this court.

6. Further the I.A.No.123/2019 was dismissed by this court on merit. But the petitioner said that the I.A.No123/2019 was allowed by this court. It shows the attitude and mentality of the petitioner/ 4th defendant. It seems that the 4th defendant having only intention to drag on the main suit proceedings.

7. Considering the facts and circumstance of the case the petition devoid merit and vexatious and liable to be dismissed. Therefore the petition is dismissed in the interest of justice. No cost.

Typed and corrected and pronounced by me in open court on 03.07.2025

District Munsif, Thiruvaiyaru

No witness and documents by both side.

District Munsif, Thiruvaiyaru