

IN THE COURT OF SUBORDINATE JUDGE : LALGUDI

Present : Tmt.R.Mohana, B.L.,

Subordinate Court, Lalgudi

Dated Wednesday, the 07th day August 2024

I.A No.2/ 2023 in OS.No.52 /2022

(CNR.No.TNTP180001682022)

Lakshmi Ammal

..Petitioner/plaintiff.

- Vs -

Ramalingam

.. Respondent/defendant.

This petition is presented on 12.09.2023 and taken on file on 08.11.2023 and came up before this court for final hearing on 05.08.2024 in the presence of the Learned Counsel Thiru.K. Jayaraman- advocate for the petitioner the respondent remained as exparte and heard petitioner side and upon perusing the case records and having stood over for consideration before this court till this day, today this court hereby delivers the following. . .

**ORDER**

1. The petitioner/plaintiff has filed this petition under order 6 rule 17 CPC to amend the plaint.

2. The Learned Counsel for the petitioner argued that as per the direction of Hon'ble High Court in SA(MD) No.896/2014 the petitioner has submitted the correlation statement and in respect of the same, the plaint has got to be amended. Heard. Case Records perused. As per the order passed in SA.No.896/2014 dated 19.08.2021 by our Hon'ble Madurai Bench of Madras High Court, in para No.10, the liberty is given to the plaintiff to file correlation statement and there after exclude the items that are covered under Ex.B1 dated 30.10.1978 and Ex.B2 dated 27.05.1982. As such, the plaintiff has to

take necessary steps to do the same. Since the correlation statement filed by the petitioner and petition for seeking amendment relating to correlation statement, it is necessary to amend the plaint. The respondent is also having liberty to file additional written statement if any and hence there is no prejudice would happen to the respondent by allowing this application. Further this court is of the opinion that the petitioner has to prove the case of the plaintiff by stating other properties if any are belonging to her father and the exclusion of terms covered under Ex.B1, B2 will also be considered in main case. Accordingly this petition is deserved to be allowed.

**In the result**, this petition is allowed. No cost. Permitted to amend the plaint.

Dictated to steno-typist, typed by her directly in computer, corrected and pronounced by me in open court on this the **07th** day of **August 2024**.

SUB JUDGE  
LALGUDI.

**List of Documents**

Petitioner side witness and document :- Nil.

Respondent side witness and document :- Nil.

SUB JUDGE  
LALGUDI.

Sub Court, Lalgudi

IA.No.2/2023 in OS.No.52/2022

Fair/ Draft Orders

**Dated – 07.08.2024**