

IN THE COURT OF THE DISTRICT MUNSIF, TIRUTTANI

**Present : Tmt. R.D. Gurulakshmi, M.A., M.L., P.G.D.I & C.L.,
District Munsif, Tiruttani.**

Dated the Saturday of 7th Day of February 2026

I.A.No.9/2025 in OS.No.53/2015

(CNR.No.TNTR21-000063-2015)

...

1. Govindaraj (died)
2. Bujangan (died)
3. Kamatchi
4. D. Mani
5. G. Ellammal
6. G. Venkatesan
7. Vengattammal
8. Rajakumari
- 9.G.Udhyakumar

... Petitioners/Plaintiffs

/Versus/

1. The District Collector, Tiruvallur District
2. The Revenue Divisional Officer, Tiruttani
3. The Tahsildar, Tiruttani
4. The Special Tahsildar(ADW), Tiruttani
5. The Village Administrative Officer,

Murukampattur village, Tiruttani

... Respondents/ Defendants

This petition came up before me for the final hearing on 09.01.2026 in the presence of M/s. V.Venkatesan, N. Balaji. P.Pichaimani, Advocates for Petitioners/ Plaintiffs, P1, P2 were died, M/s. Government Pleader for Respondents/ defendants, counter not filed on the side of respondents, respondents were set exparty. Upon hearing both sides and having stood over for consideration till this day, this court delivered the following:

ORDER

The petition is filed by the petitioner under Order 6 Rule 16 & 17 of CPC to amend the plaint in details given in the petition.

1. **Petition averments in brief:-**

The suit property is the ancestral property of the plaintiffs. The suit

property was not partitioned till date of the acquisition proceedings passed by the 1st respondent in the year 1996. The 1st plaintiff already gave a petition for objection to acquire the suit property as the property is joint family property. The plaintiffs are in possession and enjoyment of the suit property more than 60 years till date. The 1st respondent passed an order of acquiring the suit property without the consent of the joint family holders and the suit property is also non-partition property. Hence the order passed by the 1st respondent is invalid and not acted upon till date. The 1st plaintiff was filed a writ petition in W.P.No.28456/2016 before the Hon'ble High Court of Madras and same was ordered on 28.07.2022 considering the request sought by the petitioner, grants liberty to the petitioner to canvass all the issues before this court. Therefore the plaintiffs wants to amend the prayer in the suit that the plaintiffs are having possessory right and title in respect of the suit property against the respondents. Hence, this petition filed.

2. In spite of sufficient opportunity given to the respondents, respondents not filed counter, hence respondents were set exparty.

3. **Point for determination:-**

Whether the petitioners are entitled to the relief as prayed for? or not?

4. Heard petitioners side. According to the petitioners, the suit property is the ancestral property and was not partitioned till date of the acquisition proceedings passed by the 1st respondent in the year 1996. The 1st plaintiff already gave a petition for objection to acquire the suit property. The 1st respondent passed an order of acquiring the suit property without the consent of the joint family holders and the suit property is also non-partition property. Therefore the plaintiffs wants to amend the prayer in the suit. Therefore petitioners pray to allow the petition.

5. On perusal of records, the is filed for permanent injunction against the respondents/ defendants. The 1st plaintiff was filed a writ petition in W.P.No.28456/2016 before the Hon'ble High Court of Madras and same was ordered on 28.07.2022. The said order copy of the W.P. No.28456/2016 and WMP.No.24564/2016 was marked as Ex.P1 on the side of petitioners. On perusal of

the Ex.P1 it is reveals that “Considering the request sought for by the petitioner, grants liberty to the petitioner to canvass all the issues before the competent Civil court in the pending suit in OS.No.53/2015”. Hence this court is of view that in the interest of justice, this petition has to be allowed.

In the result, this petition is allowed. No cost.

Dictated to my Steno – Typist, typed by her directly in computer, corrected and pronounced by me in open court, this the 7th day of February 2026.

District Munsif,
Tiruttani.

Petitioners’ side Witnesses :- Nil

Petitioners’ side Exhibits:-

1. Ex.P1 28.07.202 The order copy of the W.P. No.28456/2016 and
2 WMP.No.24564/2016

Respondents’ side Exhibits and Witnesses :- Nil

District Munsif,
Tiruttani.