



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-04-2026

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 2430 of 2026

AND

CMP NO. 10352 OF 2026

1. Jayaraman (Died)
1.J.Thiruvankatesan,
S/o.N.Jayaraman, Old No.33, New
No.96, Arathun Road, Rayapuram,
Chennai -600 013.

Petitioner(s)

Vs

1. Saravanan,
S/o.Jayaprakash, No.14, Loga Garden
Street, Komaleeswaranpet, Chennai
-600 002.

2.Ramalingam,
S/o.Ekambara Mudaliar, Mamandoor,
Vadapathy Village and Post,
Madhuranthakam Taluk.

3.Rajendran,
S/o.Ekambara Mudaliar, Rep. by his
Power of Attorney C.Balakrishnan,
S/o.Chinnappa Reddiar, No.14, Rajaji
Street, Pulipakkam Village,
Chengalpattu Taluk and District.

4.Arputharaj,
S/o.Anthony, No.143/1, J.C.K.Nagar,
Chengalpattu Town and Taluk.

5.The Commissioner,
Chengalpattu Municipality,
Chengalpattu.



Respondent(s)

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WEB PRAYER

To allow this Civil Revision Petition by setting aside the dismissal order dated 04.02.2026 passed in I.A.No.3 of 2025 in O.S.No.63 of 2002 on the file of District Munsif Court, Chengalpattu and to pass such other orders as this Honble Court deem fit and proper to the circumstances of the case and thus render justice.

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For Petitioner(s): MR.D.Magesh

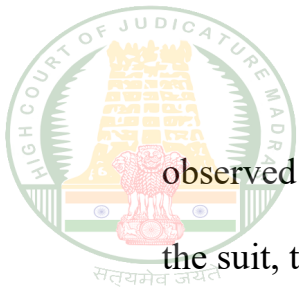
For Respondent(s): Mr.V.Ramesh GA For R5

ORDER

This Civil Revision Petition has been filed seeking to set aside the dismissal order dated 04.02.2026 passed in I.A.No.3 of 2025 in O.S.No.63 of 2002 on the file of District Munsif Court, Chengalpattu.

2. The petitioner herein filed I.A. No. 3 of 2025 in O.S. No. 63 of 2002 on the file of the District Munsif Court, Chengalpattu, under Order VI Rule 17 of the CPC, seeking permission to amend the prayer in the plaint. The amendment was necessitated because, during the pendency of the suit, the 4th respondent put up an unauthorized construction on the suit 'B' schedule property in violation of an interim injunction. Consequently, the petitioner sought to amend the prayer to include a relief of mandatory injunction, ordering the demolition of the said illegal construction.

3. Upon hearing both sides, the Trial Court dismissed the application, holding that the petitioner filed it after a delay of 23 years. The court further



observed that allowing the application would change the nature and character of the suit, thereby causing serious, irreparable prejudice to the respondent.

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4. Aggrieved by this order, the petitioner filed the present Civil Revision Petition.

5. Having heard both sides and perused the records, this Court the plaintiff's alleged that while pending suit 2nd and 3rd defendant sold part of the B schedule property to 4th defendant who put up the construction on it. However, the petitioner filed the amendment application nearly 21 years later. In fact, the plaintiff had already impleaded the subsequent purchaser as a party to the suit but failed to seek any amendment at that time. Now, coming forward with the present application after 21 years is highly belated. More particularly, the subject matter of the suit is entirely distinct from Survey No. 425/3B purchased by the respondent, a fact which was rightly appreciated by the Trial Court and requires no interference.

6. In the result, this Civil Revision Petition is dismissed. No costs. Any pending connected petitions are closed.

24-04-2026

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To

1. The District Munsif Court, Chengalpattu.
2. The Section Officer, V. R Section, High Court, Madras.



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T.V.THAMILSELVI J.
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