

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 12-03-2026**

CORAM

**THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI**

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**CRP No. 5046 of 2025 & CrI.M.P.No.25459 of 2025**

1. EVA Rosalin Santhakumari,  
W/o. P.Sritharan, No. 9B/4, Ganga Flats, Nallan  
Street, Pushpa Colony, Saligramam,  
Chennai-93.
2. N.Vedhagiri  
S/o. N.Chennakesavalu Chetty, No. 9B/7,  
Ganga Flats, Nallan Street, Pushpa Colony,  
Saligramam, Chennai-93.
3. Venkat  
S/o. Karuppaiah, No. 4/9A, Kaveri Flats,  
Nallan Street, Pushpa Colony, Saligramam,  
Chennai-93.
4. V.Rangarajan  
S/o. Venkata Narasimhan, Krish Apartments, A  
Block First Floor, Old No. 68, New No. 36,  
Gangaiamman Koil Street, Virugambakkam,  
Chennai-92.

..Petitioner(s)

Vs

1. Komala  
W/o. Manavalan (Late), No. 11-B, Nallan  
Street, Saligraman, Chennai-93.
2. Rameshbabu  
S/o. Manavalan (Late) No. 47/48, Avaiyar  
Street, Sri Kamakshi Amman Nagar,  
Alapakkam, Chennai-116.

..Respondent(s)



Prayer : Civil Revision Petition filed under Article 227 of Constitution of India to set aside the order dated 02.09.2025 made in IA No. 9 of 2025 in OS No. 8986 of 2021 on the file of V Asst. City Civil Court, Chennai and allow the IA No. 9 of 2025

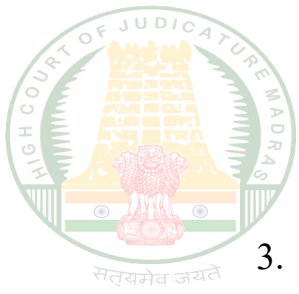
For Petitioner(s): Mr.Aravind Subramanian, Senior Counsel  
for Mr.S.Nanveen Kumar

For Respondent(s): No appearance

### **ORDER**

Challenging the impugned Order passed by the trial Court in I.A.No.9 of 2025 in O.S.No.8986 of 2025, the plaintiffs have preferred the present Civil Revision Petition.

2. The petitioners/plaintiffs have filed the suit for declaration to declare that the set back area as a common area described in the suit schedule property which is exclusively belonging to the plaintiff and for permanent and mandatory injunctions. Pending suit, the plaintiffs have filed an application for amendment of the plaint. The respondents have raised objections by filing counter. Considering the submissions on either side, the trial Court had dismissed the application. Aggrieved over the same, the present Civil Revision Petition has been filed by the plaintiffs.

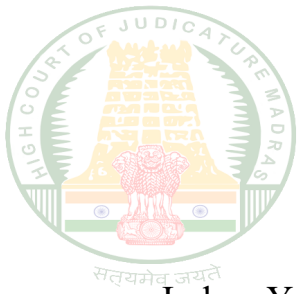


3. The learned counsel appearing for the petitioners argues that though the corrections relate to only measurements, schedule descriptions and case numbers already involved are in the pleadings and the same do not substitute a different factual matrix or relief. But the trial Court failed to consider the same and dismissed the application. Hence, prayed to set aside the Order of the trial Court.

4. A perusal of records reveal that through proposed amendment, the extent is not changed and only the manner in which the measurement is calculated alone is changed and particularly, the amendment will not change the character of the suit. If the amendment is allowed it would not cause any prejudice to the respondents and it would only avoid multiplicity of proceedings. Now the suit is pending at the stage of trial and posted for examination of P.W.1. Hence, this Court is inclined to allow this revision petition.

5. Accordingly, this Civil Revision Petition is allowed and the Order of the trial Court in I.A.No.9 of 2025 in O.S.No.8986 of 2021 is set aside. No costs. Consequently, connected miscellaneous petition is closed.

**12-03-2026**



Index: Yes/No

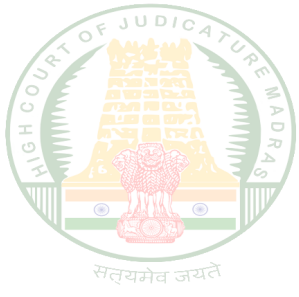
Speaking/Non-speaking order

Neutral Citation: Yes/No

vrc

To

The V Assistant Judge,  
City Civil Court, Chennai.



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**T.V.THAMILSELVI, J.**

VRC

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**12-03-2026**