

Petitioner Vs. Respondent

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Court : Chennai Madurai

Decided On : Mar-11-2016

Judge : P.N. Prakash

Appeal No. : M.P.(MD) SR.No. 69541 of 2015 in W.P.(MD) No. 11952 of 2015

Appellant : Petitioner

Respondent : Respondent

Judgement :

P.N. Prakash, J.

1. After pronouncement of final orders in the main writ petition on 18.02.2016, the party-in-person made a special mention in the Open Court, stating that she has filed a miscellaneous petition on 27.10.2015 for amendment of the prayer in the main writ petition and the said miscellaneous petition was neither numbered nor returned by the Registry and therefore, the final order dated 18.02.2016 requires to be reconsidered. Hence, the matter was posted under the caption For Being Mentioned and the petitioner in person was heard on 08.03.2016.

2. This Court called for the file from the Registry and found that the petitioner has filed an amendment petition on 27.10.2015, which is available in the case bundle. It is true that it was neither numbered nor returned.

3. The question is, would it have in any way affected the final verdict of the case?
4. To answer this question, it may be necessary to extract the prayer in the amendment petition as follows:

....it is humbly prayed that this Hon'ble Court may be pleased to amend the prayer in the Writ petition to direct the respondent to pay the compensation amount of Rs.35,00,00,000/- (Rupees Thirty five Crores only) to pay the petitioner in individually and severally and also the petitioner further prayed that to issue proper order to the respondent to stop further all forgeries and stop all illegal corruption on the making of petitioner's spiritual power and the petitioner is lost more benefits from the Government and other sources on the losing of her spiritual power, so the Hon'ble court may be pleased to issue proper order to government to issue a job for petitioner in the department of Hindu Religious and Charitable Endowment Board in Tamil Nadu instead of grant an order of Writ or order or of Writ of Mandamus directing the 1st respondent to take appropriate action against the respondents 2 to 5 consequently to fix the compensation to the petitioner and thus render justice.

5. In the considered opinion of this Court, the question of paying compensation of Rs.35 Crores would have arisen, if this Court had found prima facie merits in the main writ petition. This Court had dismissed the main writ petition on 18.02.2016, holding that the same is devoid of merits. Ergo, the amendment petition would have had no bearing on the final outcome.

6. Hence, this Miscellaneous Petition for amendment is dismissed at the SR stage itself.

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