

(1928) 04 MAD CK 0040
In the Madras High Court

Chennamangalagath Illath Govindan Nambudri and Another	APPELLANT
Vs	
Janala Perikamanna Illath Kesava Vadhyan	RESPONDENT

Date of Decision : 03-04-1928

Acts Referred:

Citation : 114 Ind. Cas. 635

Hon'ble Judges : Ramesam, J

Bench : Single Bench

Judgement

Ramesam, J.—If there is the smallest possibility for saying that we do not know where the mistake lies, this is not a case to be taken in revision. But on the plaint and on the judgment, there is no scope for saying that we do not know where the mistake lies. The mistake lies on the person who did the arithmetical work--District Munsif or another. The mistake is a purely arithmetical error and to refuse to correct it is sheer arithmetical laziness. Sections The case of Pitchayya v. Subba Rao 34 Ind. Cas. 787 : 3 L.W. 499 does not help the respondents. That was not a case of arithmetical error and where the decree is in accordance with the judgment in such a case, there is no reason to amend. In the case of Kishori Mohan Vs. Chhanga Lal, there was an appeal, a final decree and complete execution of the decree and as a matter of discretion, the amendment was refused. There is no discretion in this case as I already pointed out. I allow the petition and substitute the figure Rs. 837-8-0 for Rs. 963-2-0. The petitioner, if he had been diligent, would be entitled to the costs of the civil revision petition. In the circumstances, there will be no order as to costs.