

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2016

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Civil Revision Petition (PD) No.1409 of 2016
and
C.M.P.No.7825 of 2016

Alagappa

S/o.Muthukrishnan

... Petitioner

VS

1.Saraswathi

W/o.Madhavan

2.The Sub Registrar,

Sub Registrar's Office,

Thiruvottiyur,

Chennai - 600 019.

3.The District Collector,

Thiruvallur.

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India praying to direct the learned District Munsif, Thiruvottiyur, to number the suit in O.S.Sr.No.3960 of 2015 and consequently, take the said suit on file.

For Petitioner : Mr.Devaraj Mahesh

ORDER

This revision seeks a direction to learned District Munsif, Thiruvottiyur, to number the suit in O.S.Sr.No.3960 of 2015.

2. Heard learned counsel for petitioner.

3. Recording the submission of learned counsel for petitioner/plaintiff that the petitioner/plaintiff will not press the action insofar as the prayer 'a' seeking declaration declaring the Power Deed dated 02.03.2009, registered as Document No.408 of 2009 on the file of the second defendant viz., Sub Registrar Office, Thiruvottiyur, as null and void, unenforceable and not binding on the plaintiffs, which is found unnecessary by this Court since it is always open to a principal to revoke a Power of Attorney executed by him by following due procedure and considering the submission that the question of limitation is a mixed question of law on facts, this Court directs the learned District Munsif, Thiruvottiyur, to number the suit in O.S.Sr.No.3960 of 2015.

The Civil Revision Petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed. Registry is directed to return the original plaint to learned counsel for petitioner.

01.06.2016

Index:yes/no
Internet:yes
gm

To

- 1.The District Munsif,
Thiruvottiyur.
- 2.The Sub Registrar,
Sub Registrar's Office,
Thiruvottiyur,
Chennai - 600 019.
- 3.The District Collector,
Thiruvallur.

C.T.SELVAM, J

gm

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