

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2016

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Civil Revision Petition (PD) No.1443 of 2016

1.N.Appakutty Gounder
S/o.Nanjappa Gounder

2.A.Sivasubramanian
S/o.N.Appukutty Gounder

... Petitioners

VS

1.K.S.Rangasamy
S/o.Chennaiimalai Gounder

2.C.Raja
S/o.Chinnasamy Gounder

3.A.Prakash
S/o.Arthanari

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India against the docket order in unnumbered suit CFR No.1235 of 2016 dated 17.02.2016 on the file of Principal District Judge, Tiruppur.

For Petitioners : Mr.Kanimozhimathi

ORDER

This revision challenges the docket order passed by learned Principal District Judge, Tiruppur, in unnumbered suit CFR No.1235 of 2016 on 17.02.2016.

2. Heard learned counsel for petitioners.

3. In rejecting the plaint, the Court below has informed thus:

“Heard. Power of Attorney has been registered on 12.06.2009 and registered sale by the Registered Power of Attorney to 2nd and 3rd defendant is on 19.08.2010. As on 19.08.2010, the Power of Attorney has not been cancelled and not cancelled till date. Further, the Sale Agreement has been executed in favour of D2 by the Plaintiff on 12.06.2009, the date when the power of attorney was registered in the name of D1. Further, no piece of document for alleged cheating by the Power of Attorney is enclosed. Therefore, this Court does not find any cause of action as against D2 and D3. Hence, the suit is rejected. Court fee to be refunded.”

4. It is not for Court to consider the merits of the plaintiffs' case or seek support therefor in considering whether the suit is to be entertained by it. The

Court below is directed to number the suit, if it is otherwise in order and proceed further in accordance with law.

The Civil Revision Petition is disposed of with the above direction. No costs.

03.06.2016

Index:yes/no
Internet:yes
gm

To

The Principal District Judge,
Tiruppur.

C.T.SELVAM, J

gm

Civil Revision Petition (PD) No.1443 of 2016

03.06.2016