

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.09.2016

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Civil Revision Petition (PD) No.2625 of 2016

and

C.M.P.No.13532 of 2016

Syed Anwar Ahamed Hussain
S/o.Syed Ameer Hussaini

... Petitioner

vs

1.Syed Hussain Pasha
represented by Power Agent
Syed Matheen Ahamed Saqqaf

2.Syed Ismathunissa
W/o.Syed Ameer Hussaini

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India against the order of learned Subordinate Judge, Chidambaram, passed in I.A.No.108 of 2013 in O.S.No.7 of 2011 on 11.12.2013.

For Petitioner : Mr.C.V.Vijayakumar

ORDER

This revision arises against the order of learned Subordinate Judge, Chidambaram, passed in I.A.No.108 of 2013 in O.S.No.7 of 2011 on 11.12.2013.

2. First respondent/plaintiff has filed O.S.No.7 of 2011 on the file of learned Subordinate Judge, Chidambaram, through his Power Agent one Z.Shahul Hameed, seeking partition and separate possession. First respondent/plaintiff moved I.A.No.108 of 2013 informing that the power given to the said Z.Shahul Hameed has been cancelled on 21.07.2011 and a Power of Attorney dated 20.07.2011 has been executed in favour of one Syed Matheen Ahamed Saqqaf and sought permission to recognize such person as the power agent of plaintiff. Court below, under the impugned order, allowed such application. There against, petitioner/second defendant has filed the present revision.

3. Heard learned counsel for petitioner.

4. In allowing the application, the Court below has informed that though the original registered Power of Attorney dated 20.07.2011 has not been produced, the plaintiff has produced the certified copy thereof, which is a

document sufficient to decide the issue. Upon a perusal of the said document, the Court below has found that the plaintiff has cancelled the power given to Z.Shahul Hameed on 21.07.2011 and one Syed Matheen Ahamed Saqqaf has been authorised to maintain his assets and to contest the case on his behalf. In the circumstances, the Court below has allowed the application. This Court finds no error in the order under challenge.

The Civil Revision Petition shall stand dismissed. No costs. Connected miscellaneous petition is closed.

01.09.2016

Index:yes/no
Internet:yes
gm

To
The Subordinate Judge,
Chidambaram.

C.T.SELVAM, J

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