



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Wednesday, the Twentieth day of January Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice T.MATHIVANAN

WEB COPY

CMP(MD) No.563 of 2016
IN
CRP(MD) No.SR4149 of 2015

MEERA UMMAL

... PETITIONER/PETITIONER/5th RESPONDENT

Vs

1 MYTHEEN BEEVI
2 MOHAMMED NOOKU
3 KATHIJA BEEVI
4 ABITHA BEEVI
5 LYAHATH ALI
6 SABURA
7 MOHAMMED SHABI
8 KAJA MYTHEEN
9 NASEEMA BEEVI
10 NYAAS
11 RYAAS
12 SAMEEMA
13 MOHAMMED KANNU
14 MEERAN PILLAI
15 IQBAL
16 ABDUL KATHIR UMMAL
17 MOHAMMED SAALI
18 AHAMED PILLAI
19 ABDULLA
20 ABDUL RAHMAN
21 ASSIA BEEVI
22 HAMITHA BEEVI
23 ABDUL SALAM
24 VEEYATHUMMAL
25 RYHANATH BEEVI
(THE RESPONDENTS 13 TO 25
ARE GIVEN UP)

... RESPONDENTS 1 TO 12/RESPONDENTS 3 TO 14

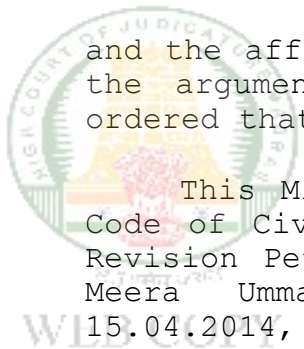
... RESPONDENTS 13 TO 25/RESPONDENTS 16,
19 TO 30/DEFENDANTS 2,6 TO 17

Civil Miscellaneous petition is filed under order III Rule 2 of CPC to permit the petition to praying the above CRP(MD)No.SR4149/15 upon the power of Attorney document dated 15.04.2014 registered, as document No.8/14 in Book No.IV.

Prayer in CRP(MD)No.SR4149/15:- Civil Revision Petition is preferred against the order dated 15.03.2014 passed in C.F.S.R.No.1859/14 in O.S.NO.40 of 1985 on the file of the II Additional District Munsif,

<https://hcservices.chungma.in/hcservices/>

ORDER : This petition coming on for orders upon perusing the petition



and the affidavit and Judgment and Decree of the Lower and upon hearing the arguments of M/S.S.SUBBIAH, Advocate for the petitioner , it is ordered that,

This Miscellaneous Petition is filed under Order III Rule 2 of the Code of Civil Procedure, to permit the petitioner to prefer this Civil Revision Petition in the capacity of power of attorney on behalf of one Meera Ummal in pursuant to the power of attorney deed dated 15.04.2014, registered as document No.8 of 2014 in Book No.IV on the file of the Munchirai Sub-Registrar Office.

2. Heard Mr.S.Subbiah, learned counsel appearing for the petitioner and perused the averments of the affidavit filed in support of the petition.

3. The learned counsel for the petitioner has submitted that the deponent Mr.P.Syed Mohammed is the son of the petitioner Meera Ummal. He has also stated that his mother, Meera Ummal is aged about 84 years and therefore it is not possible for her to appear in person before the Court and prosecute this Civil Revision Petition, and therefore she had executed and registered the power of attorney deed on 15.04.2014 in favour of her son only for the purpose of prosecuting the cases on behalf of her. Under the strength of the power of attorney deed, the petitioner i.e., the deponent, Mr.P.Syed Mohammed has sought permission of this Court to prefer the Civil Revision Petition as against the order dated 15.03.2014 in CFSR.No.1859 of 2014 in O.S.No.40 of 1985 on the file of the learned II-Additional District Munsif, Kuzhithurai.

4. This Court, having been considered the averments of the affidavit filed in support of the petition and after hearing Mr.S.Subbiah, learned counsel appearing for the petitioner, finds that the petitioner may be permitted to represent his mother as her power of attorney based on the power of attorney deed dated 15.04.2014.

5. In view of the above, this miscellaneous petition is allowed.

Sd/-

Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar

To

The II-Additional District Munsif, Kuzhithurai.

CSL/PM-MP/09.02.2016/2p/2c

ORDER

IN

CMP(MD) No.563 of 2016

IN

CRP(MD) No.SR4149 of 2015

Date :20/01/2016