

Appl. No.6559 of 2017

in

C.S.No.315 of 2006

R.SUBRAMANIAN,J.

This application has been filed to amend the short and long cause title of the plaint to alter the name of the representative of the plaintiff company. The suit was filed in the year 2006. At the time of filing of the suit, the Plaintiff Company is represented by one Mr.S.Sankaran, who was the Company Secretary. The suit was dismissed as settled out of Court by this court on 11.07.2017. The order of dismissal also states that the plaintiff is entitled to refund of entire Court Fee as per the provisions of Tamil Nadu Court Fees and Suits Valuation Act, as amended in 2017. The decree has been drawn up by the Registry, Clause 2 of the said decree reads as follows:

2. That a certificate U/S 69 of Tamil Nadu Court Fees and Suits Valuation Act XIV of 1955 (as amended) do issue herein out of and under the seal of this Court in favour of M/s.Saksoft Limited, rep. By S.Sankaran, Head (F&A), and Company Secretary, the plaintiff herein, authorising him to receive from the Pay and Accounts Office, chennai a sum of Rs.40,165/- (Rupees Forty thousand one hundred and sixty five only) paid on the plaint by the plaintiff herein.

2. In the affidavit filed in support of this application it is stated that Mr.S.Sankaran has quit the plaintiff Company and now the plaintiff company is

being represented by one Mr.S.Muthukrishnan, who has been subsequently appointed as the Company Secretary. In view of the same, the present application is allowed and the plaintiff is permitted to amend the description of the plaintiff, wherever it appears as represented by S.Muthukrishnan instead of S.Sankaran. The learned counsel for the plaintiff shall take steps to amend the plaint. On such amendment, the Registry is directed to issue a cheque in favour of the company represented by S.Muthukrishnan. Consequently, the decree issued by this Court will also stand amended.

Jv

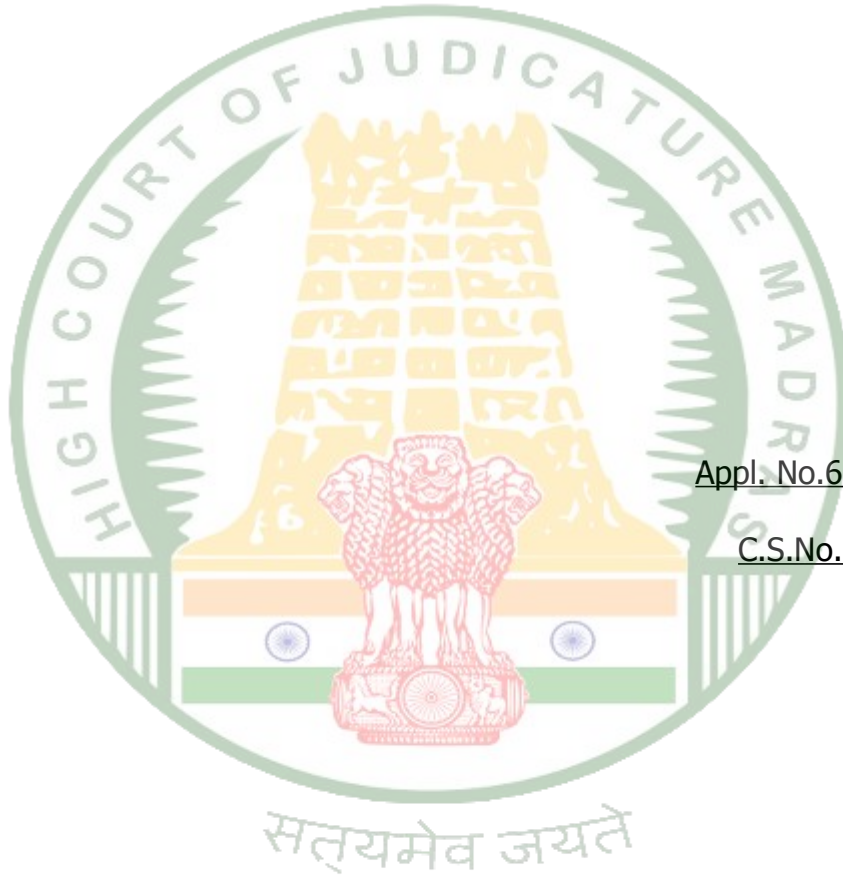
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