

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2019

CORAM :

THE HON'BLE Ms. JUSTICE P.T.ASHA

C.R.P. (NPD) No.1174 of 2018

Swathi @ Nagina

... Revision Petitioner

Vs.

P.Rajesh Kumar Bagmar

... Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the order passed in E.A.No.26 of 2015 in E.P.No.11 of 2009 in F.C.O.P.No.600 of 2001, dated 07.02.2018, on the file of the V Additional Family Court, Chennai.

For Petitioner : Mr.A.Edwin Prabakar

For Respondent : Mr.Sameer
for M/s.Shah & Shah

ORDER

The above Civil Revision Petition has been filed, challenging the order, passed by the learned V Additional Principal Judge, Family Court, Chennai, dismissing the application filed by the revision petitioner for permitting her mother, whom she had appointed as her Power Agent, to appear on her behalf in the execution proceedings.

2.The revision petitioner, in her affidavit, has clearly stated that she has got remarried and it is not possible for her to keep on coming every time before the Family Court.

3.The statement made in the affidavit appears to be a sufficient cause for allowing the application and it is rather unfortunate that the learned Judge has not considered the same and has insisted the party to be present in person. Therefore, the order dated 07.02.2018 made in E.A.No.26 of 2015 in E.P.No.11 of 2009 is set aside and the Power Agent, one Kiran Bai, W/o.P.Jayanthilal is permitted to represent the revision petitioner in the execution proceedings.

4.In the result, this Civil Revision Petition is allowed. No costs.

06.03.2019

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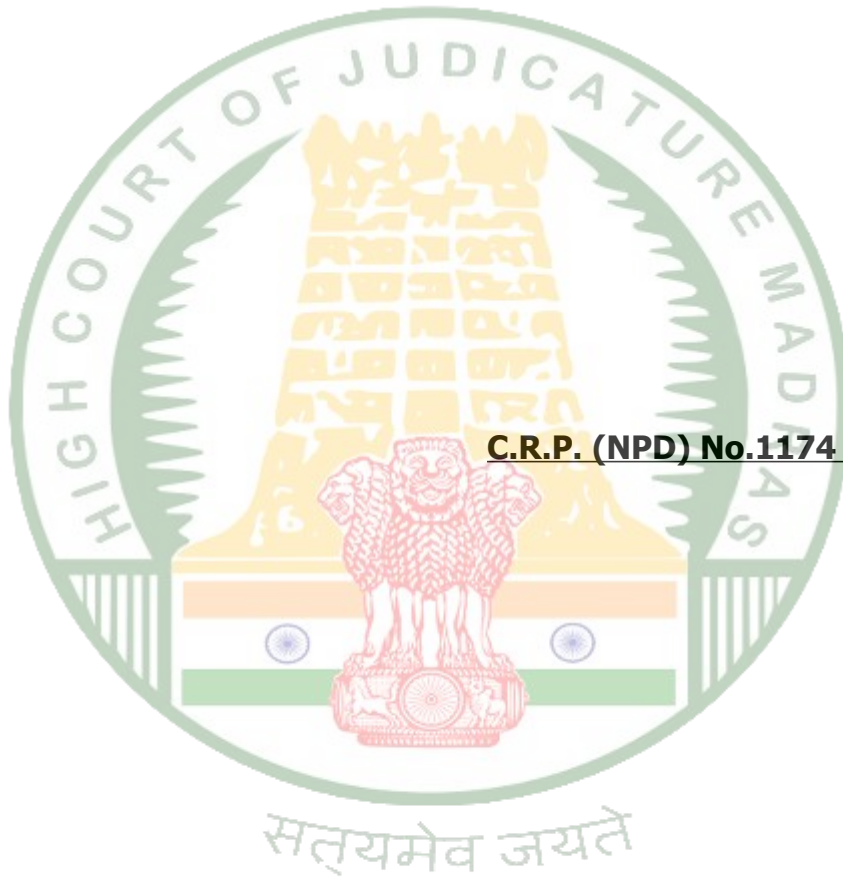
Index : Yes / No
Internet : Yes / No
Speaking order / Nonspeaking order

To

The V Additional Principal Judge,
Family Court,
Chennai.

P.T.ASHA, J.

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