A.No.9116 of 2019
in
C.S.No.559 of 2014

N.SATHISH KUMAR, J.

This application has been filed to substitute the name of the present Power of Attorney of the plaintiff company with the name of Syed Abdul Kader in the short cause title and long cause title of the plaint instead of the earlier Power of Attorney of the plaintiff Company Mr.Abdul Haq.

2. It is the case of the plaintiff that the plaintiff company was originally represented by its Power of Attorney Mr.Abdul Hag. Since the earlier Power of Attorney has resigned and is not employed with the plaintiff company. The present power of attorney may be substituted and amend the name of the present Power of Attorney of the plaintiff company with the Syed Abdul Kadir.

3. The first defendant has no objection in allowing this application.

4. The second defendant has filed counter stating that the Power of Attorney has not been adjudicated within 30 days and therefore, it is not valid. Further the present appointment of the Power of Attorney has been

http://www.judis.nic.in

created only to divert the issues in the suit. Hence, prayed for dismissal of this application.

5. This application has been filed to substitute the new Power of Attorney appointed to the plaintiff company on 31.10.2019. Immediately it is also adjudicated by the Registering Officer on 04.11.2019 within a month from the date of the Power of Attorney. Since the very application has been filed on the ground that the earlier Power of Attorney is no more in the company and he has to be represented by new Power of Attorney, I am of the view that as the new Power of Attorney is validly appointed before the Notary and adjudicated before the concerned Registrar in India, the present Power of Attorney is a valid Power of Attorney.

6. Hence, this application is allowed. The applicant is directed carryout the amendment and file amended copy of the plaint by 09.12.2019.

7. Post the suit before the Additional Master No.1 on 09.12.2019 and the evidence of both sides shall be completed on or before 31.01.2020 and post before this Court for arguments in the first week of February, 2020.

29.11.2019

vrc

http://www.judis.nic.in

N.SATHISH KUMAR, J.

vrc

HIGH COURT OF JUDICATURE MADRAS
सत्यमेव जयते
WEB COPY

A.No.9116 of 2019
in
C.S.No.559 of 2014

29.11.2019

http://www.judis.nic.in