

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2020

CORAM

THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR

C,M.P.Nos.6162 & 6166 of 2020

in

C.R.P.SR.No.32281 of 2020

Mrs.Gifta Edith Niranjana ... Petitioner/Petitioner/Plaintiff
rep by her power Agent (in both CMPs)
K.G.Manoj Kumar

versus

1.Suseela
Jacob (Deceased)
2.Joel Peter,

...Respondent/Respondent in both CRP
/Decree holder 2nd and 3rd defendant

Prayer in CMP.No.6162 of 2020: Civil Miscellaneous Petition is filed under Section 151 of CPC, to accept the cause title in the above CRP.

Prayer in CMP.No.6166 of 2020: Civil Miscellaneous Petition is filed under Order 3 Rule 2(A) of CPC, to accept the Power of Attorney dated 14.11.2019 executed by Gifta Edith Niranjana and permit the Power Agent to represent on behalf of Mrs.Gifta Edith Niranjana and both the CMP's are sought to be preferred against the order in EP 100/15 in O.S.127/13 on the file of Principal Subordinate Judge, Tindivanam.

For Petitioner : Mr.T.Velumani

COMMON ORDER

(i) C.M.P.No.6162 of 2020 is filed by the petitioner seeking to accept the cause title in the above CRP; and

(ii) C.M.P.No.6166 of 2020 is filed by the petitioner seeking to accept the Power of Attorney dated 14.11.2019 executed by Gifta Edith Niranjana and permit the Power Agent to represent on behalf of Mrs.Gifta Edith Niranjana.

2. The petitioner has filed the above application to accept the cause title, based on the Power executed by Mrs.Gifta Edith Niranjana.

3. On a perusal of the General Power of Attorney executed by the party, namely Mrs.Gifta Edith Niranjana, represented by her Power Agent K.G.Manoj Kumar, it is found that the original as well as xerox copy of the General Power of Attorney Agent, both the parties have signed in the said Power of Attorney but the witness did not sign in the witness signature column in the said Power of Attorney executed between the parties. Therefore, at this stage, the said application cannot be entertained. It is for the petitioner to file Power of Attorney with duly signed in the presence of the witness in accordance with rules.

4. With the above observations, as submitted by the learned counsel for the petitioner, as well as on a perusal of the original parts of the records, both the Civil Miscellaneous Petitions are dismissed.

-s/d-

Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

msm

To

1.The Principal Subordinate Judge,
Tindivanam

Copy to

The Section Officer,
AE(Main Section),
High Court,
Chennai.

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PP (CO)
KKV/09/12/2020

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