

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

WEDNESDAY, THE 05TH DAY OF FEBRUARY 2020

THE HON'BLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY

A. No.8288 of 2019
in
C.S.No.111 of 2019

Mr.S.GANESAN
S/o. Sudalaimani
No.4/47-1, Mathunayakanpatti Road,
Allampatti, Virudhunagar-626001. .. Applicant/Plaintiff

Vs.

1. Mr.S.SAKTHIVEL
S/o. M.Samuthiravelu
No.H-10, Egmore Police Quarters,
Near Ganesh Travels,
Egmore, Chennai 600008.

2. Mr.S. CHANDRAN
S/o. Sundararajan
No.6/143, Malligai Street,
NGO Colony East, Sivagnapuram Panchayath,
Virudhunagar 626 001.

3. Mrs.C. SUBBULAKSHMI
W/o. S.Chandran
No.6/143, Malligai Street,
NGO Colony, East, Sivagnapuram Panchayath,
Virudhunagar - 626 001.

4. GREAT LAKES MULTI-STATE CO- OPERATIVE HOUSING
SOCIETY LTD

Represented By Its Chairman Namely Mr. S. Sakthivel,
No.76/190, South Car Street,
Srivilliputhur - 626 125
Viruthunagar District.

:Respondents/Defendants

Application praying that this Hon'ble Court be pleased to pass an order permitting the applicant/plaintiff to amend the plaint by substituting the Word Chairman in the Short and Long cause titles as Chief Executive Officer.

This Application coming on this day before this court for hearing the court made the following order:

This application is filed to permit the applicant/plaintiff to amend the plaint by substituting the word 'Chairman in the short and long cause titles as Chief Executive Officer'.

2. I heard the learned counsel for the applicant and the learned counsel for first and fourth respondents.

3. The learned counsel for the applicant submitted that the applicant was under the impression that the fourth respondent is represented by its 'Chairman'. After filing of the suit, the applicant reliably gathered that the fourth respondent is represented by its Chief Executive Officer Mr.S.Sakthivel. Therefore, this application is filed to amend the plaint as stated in the judges summons.

4. The learned counsel for the first and fourth respondents submitted that this Court does not have territorial jurisdiction and unless the said issue is considered and decided, this application is not maintainable.

5. At this juncture, I do not propose to examine this question. As far as this application is concerned, it is clear from the submissions of the learned counsel and the affidavit filed in support of the application that the application is liable to be allowed so as to enable the applicant to carry out the amendment such that the fourth respondent is represented by its Chief Executive Officer. Accordingly, this application is allowed and the applicant is permitted to amend the plaint by substituting the word “The Chairman” in the short and long cause titles with Chief Executive Officer. Such amendment shall be carried out within a period of two weeks from the date of receipt of a copy of this order. Thereafter, the amended plaint shall be served on the learned counsel for the defendants.

Sd/.S.K.R.J.
05.02.2020

//Certified to be a true copy//
Dated this the _____ day of _____ 2020.

SU/11.03.2020

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.