

A.No.9502 of 2019
in
C.S.No.552 of 2019

SENTHILKUMAR RAMAMOORTHY.J.

This application is filed to permit the applicant, Mr.N.Dillibabu, to act as the next friend of Mr.K.Dillibabu so as to contest the suit.

2. I heard the learned counsel for the applicant/second defendant and the learned counsel for the first to sixth respondents/plaintiffs. The learned counsel for the applicant submitted that the second defendant in the suit viz., Mr.K.Dillibabu, is suffering from severe intellectual disability and, as per the medical report, he needs supervision and care. Therefore, he submitted that the present application is filed for permission to act as the next friend of Mr.K.Dillibabu. The learned counsel for the first to sixth respondents/plaintiffs submitted that he has no objection to this application being allowed. In fact, he pointed out that he has filed the certificate issued by the Civil Assistant Surgeon, Institute of Mental Health on 11.09.2017 with regard to the mental condition of Mr.K.Dillibabu as document

No.10 in the suit.



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3. Upon considering the submissions of the respective counsel and on examining the affidavit and the relevant documents in support of this application, it is clear that the applicant has made out a case to represent the second defendant, Mr.K.Dillibabu, through Mr.N.Dillibabu in the capacity of next friend.

4. Accordingly, this application is allowed and the applicant is permitted to contest the suit on behalf of the second defendant Mr.K.Dillibabu as next friend. The learned counsel for the plaintiffs is directed to carry out the necessary amendments on or before 04.02.2020.

5. List the matter on 04.02.2020.

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21.01.2020

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