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A.No.4509 of 2023
in
O.P.No.1026 of 2019

N.SATHISH KUMAR, J.

This application has been filed to condone the delay of 474 days to restore the dismissal for default order dated 10.03.2022 in O.P.No.1026 of 2022.

2. The petitioner filed the Original Petition in the name of Mrs.P.Vadivambal to grant a letter of administration to the petitioner for her share over the assets left by her father and the said Original Petition has been dismissed for default on 10.03.2022. Now this application has been filed to restore the same.

3. At this stage, the petitioner appeared herself before this Court through some other counsel and submits that she has not instructed any one to file an application for grant of letter of administration. It is also stated that she has not engaged the counsel on record to file an application, whereas the counsel on record would submit that he has filed the application only on the basis of the Power of Attorney of the said Mrs.P.Vadivambal



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and he has obtained a signature from her. He has also produced the Power of Attorney dated 22.05.2019. However, the very petitioner would submit that she is not interested in proceeding with the matter and she has not filed any application.

4. It is also stated that the Power of Attorney granted in favour of one Mr.Manickam was already cancelled in Document No.7774 of 2021. In such view of the matter, as the petitioner herself has not interested to prosecute the matter, the application filed at the instances of the power agent cannot be entertained and the same is dismissed.

5. This Court is of the view that this application filed to condone the delay of 474 days cannot be condoned and the petition is dismissed.

19.10.2023

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