



C.R.P.No.2723 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2023

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

C.R.P.No.2723 of 2019
and
C.M.P.No.17953 of 2019

K. Kandasamy (Deceased)

K. Muniammal (Deceased)

1. K.Santhamani

2. K.Rajkumar Petitioners

Vs

1. C.V.Muthusamy

2. K.Geetha

rep. by her power agent Muthusamy Respondents

Prayer :- Civil Revision Petition is filed under Article 227 of Constitution of India to set aside the fair and decretal order dated 19.06.2019 passed in I.A.No.524 of 2017 in O.S.No.22 of 2010 on the file of the learned District Munsif Court, Paramathi.

For Petitioners : Mr.M.Rajasekar

For Respondents : No appearance



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ORDER

This Civil Revision Petition has been filed to set aside the fair and decreetal order dated 19.06.2019 passed in I.A.No.524 of 2017 in O.S.No.22 of 2010 on the file of the learned District Munsif, Paramathi, thereby allowing the petition filed under Order 3 Rule 2 of CPC to permit the first plaintiff to represent by her power of attorney.

2. The petitioners are the defendants in the suit filed by the respondents herein. The respondents filed a suit for injunction in respect of the suit property. Pending suit, the second plaintiff filed an application under Order 3 Rule 2 of CPC, thereby seeking permission to represent by her power of attorney viz., the first plaintiff. The same was allowed on the ground that the second respondent herein nominated the first respondent in order to depose on her behalf before the Trial Court. The first respondent is none other than the first plaintiff as against the Will acquainted to the suit. Therefore, the Court below rightly allowed the petition.

3. Hence, this Court finds no infirmity or illegality in the order dated 19.06.2019 passed in I.A.No.524 of 2017 in O.S.No.22 of 2010 on the file of the learned District Munsif, Paramathi. Accordingly, this Civil Revision Petition stands dismissed. Consequently, connected miscellaneous



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petition is closed. No costs.

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Index: Yes/No
Internet: Yes/No
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To

The District Munsif,
Paramathi.

G.K.ILANTHIRAIYAN, J.



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