

**A.No.5460 of 2023 in C.S No.133 of 2015**

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A.A.NAKKIRAN, J.

This application has been filed by the applicant/plaintiff to permit Mr.P.Anjaneyalu, the power agent to represent and to sign vakalat, plaint, affidavits and petitions, representations, marking of documents and to let in evidence on behalf of the plaintiff in the above suit.

2. The learned counsel for the 2nd respondent/2nd defendant submitted that there is an alternate remedy to appoint advocate commissioner for examination of party, if really the party will not be able to appear in the court, due to her ailment. He further submitted that as per provisions of Order III Rule 1 CPC, the party to the suit cannot be substituted to let in evidence on behalf of the plaintiff. Hence, he strongly opposed to allow this application.

3. Having satisfied with the reasons stated in the affidavit filed in support of the application, this application is allowed.

4. Registry is directed to list the matter before the Additional Master-I, for recording evidence on 07.12.2023.

28.11.2023

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A.A.NAKKIRAN, J.

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