



A.No.5338 of 2024
in C.S.(COM.DIV)No.251 of 2022

WEB CO **K.KUMARESH BABU,J.**

The present application has been filed seeking to return the Original Power of Attorney marked as documents (1-4) filed by the applicant herein listed to the Judges summons, before this Court in C.S.No.(Com.Div.) No.251 of 2022.

2. Heard the learned counsel appearing for the applicant.

3. The learned counsel for the applicant would submit that the suit came to be disposed of by this Court by a judgment and decree dated 19.01.2024. He would further submit that certain of the Power of Attorneys that is listed to the Judges summons are the Power of Attorneys executed by the plaintiffs 1, 2, 4 & 5 in favour of the third plaintiff for prosecuting the defendants. Since, the defendants had not complied with the terms of the decree, the applicants have to necessarily initiate an Execution Proceedings and to prosecute the said Execution Proceedings, the said Power of Attorneys which had been marked before this Court would have to be returned to the party or otherwise, the applicants will be put to irreparable loss and undue hardship.

4. I have considered the submissions made by the learned counsel appearing on behalf of the applicants and perused the materials available on record.



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K.KUMARESH BABU,J.

Gba

6. The Power of Attorneys in the list of documents appended to the Judges summons have been marked as exhibits during the course of the trial in the instant suit. It is the case of the applicants that the said documents are required to further prosecute the defendants in the Execution Proceedings. Hence, I find no impediment in ordering this application as prayed for.

7. The Registry is directed to return the said original documents shown in the Judges summons by replacing the same with a certified copy. The Registry shall do the needful within a period of four (4) weeks from today.

Gba

30.10.2024

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