



SA(MD) No.794 and 795 of 2014

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Wednesday, the Twenty Third day of October Two Thousand and Twenty Four

PRESENT

The Hon`ble Mrs.Justice S.SRIMATHY

CMP(MD) Nos.9492 and 9493 of 2024

in

SA(MD) No.794 and 795 of 2014

1 V.M.SENTHIL KUMAR

2 S.RAJAMANICKAM

3 R.THAMILCHELVAM

4 R.MANOCHARAN

... Petitioners / Proposed Appellants 2 to 5

Vs

1 KARUPPAYEE

W/O.LATE.MARAPPA GOUNDER ... 1st Respondent / Appellant

2 SANKARAN

3 SAGUNTHALA

4 NITHYAKUMAR

5 KIRUBAKARAN

6 THANGARASU

7 VALARMATHI



SA(MD) No.794 and 795 of 2014

8 SATHISH

WEB COPY

9 KARUPPAYEE

W/O.LATE.KALIMUTHU

... Respondents 2 to 9 / Respondents 1 to 8

Prayer in CMP(MD). 9492/ 2024 :

To recognize the petitioners to represent the 1st respondent/ Appellant herein in the above said S.A.(MD)No.794 of 2014 as her Special Power Agent.

Prayer in SA(MD). 794/ 2014 :

To set aside the judgment and decree dated 16.04.2014 made in AS No.13 of 2013 on the file of the Principal District Judge, Karur, confirming the judgment and decree dated 21.12.2012 made in O.S.No.153 of 2006 on the file of the Principal Sub-Judge, Karur and allow this second appeal.

Prayer in CMP(MD). 9493/ 2024 :

To recognize the petitioners to represent the 1st respondent/ Appellant herein in the above said S.A.(MD)No.795 of 2014 as her Special Power Agent.

Prayer in SA(MD). 795/ 2014 :

To set aside the judgment and decree dated 16.04.2014 made in AS No.14 of 2013 on the file of the Principal District Judge, Karur, confirming the judgment and decree dated 21.12.2012 made in O.S.No.223 of 2003 on the file of the Principal Sub-Judge, Karur and allow this second appeal.

ORDER : These civil miscellaneous petitions coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.A.SARAVANAN, Advocate for M/S.KBS LAW OFFICE, Advocate for the petitioners and of M/s.KRISHNAVENI, Senior Counsel for Mr.P.THIYAGARAJAN, Advocate on behalf of the Respondent No.2 and of Mr.E.K.KUMARESAN, Advocate on behalf of the Respondent Nos.3 to 5 and of not appeared for Respondent No.1 in person or through by an Advocate, the Court made the following order:-

These petitions are filed to recognize the petitioners to represent the 1st respondent / appellant in the second appeal. It is seen that one Karuppayee who is



SA(MD) No.794 and 795 of 2014

the appellant in S.A.(MD)Nos.794 and 795 of 2014 has given power of attorney to the present petitioners. When the appellant is available and is contesting the case, the power agents cannot contest the case. Hence, they cannot be added as 1st respondent, since it is an absurd prayer. Therefore, this Court is inclined to dismiss the civil miscellaneous petitions. Accordingly, the civil miscellaneous petitions are dismissed.

sd/-
23/10/2024

/ TRUE COPY /

/10/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TMG

To

1.The Principal District Judge,
Karur.

2.The Principal Subordinate Judge,
Karur.

ORDER
IN
CMP(MD) Nos.9492 and 9493 of 2024
in
SA(MD) No.794 and 795 of 2014
Date :23/10/2024



SA(MD) No.794 and 795 of 2014

ED/ MMS /SAR- (25/10/2024) 4P / 3C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023