



CRP.No.3514 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2025

CORAM :

THE HONOURABLE MR. JUSTICE P.B. BALAJI

CRP.No.3514 of 2024
and
CMP.No.19052 of 2024

1. R.Nirmala
2. Karmull Francies ...Petitioners

Vs.

R.Selvaraj (*Deceased*)
S.J.Vijayalakshmi (*Deceased*)

1. Meghala
 2. S.Radhika
- Saravanan (*Deceased*)
3. S.Radha
 4. S.Chandran
 5. G.Charumathi
 6. M.Mythili

...Respondents

Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the Order and Decreetal order passed in I.A.No.7 of 2023 in O.S.No.6861 of 2006 on the file of Learned XVIII Assistant City



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For Petitioners : Mr.B.Arvind Srevatsa

For Respondents : Mr.V.Manisekaran, for R1 & R2

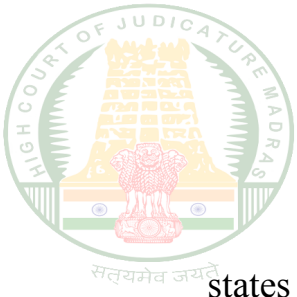
ORDER

In compliance with the provisions of Order 3 of CPC, this Court had directed the Principals to file Sworn affidavits regarding the execution of Power of Attorney.

2. The Principals namely, S.Meghala and S.Radhika, the 1st and 2nd respondents herein have now filed affidavits dated 10.09.2024 and 27.07.2025 respectively, wherein they contend that they have executed Power of Attorney in favour of one M.Rajasekaran and the said Rajasekaran is closely associated with their family for a long time and he is also aware of the facts and circumstances of the case.

3. The said affidavits filed by the Principals are taken on file.

4. Mr.B.Arvind Srevatsa, the learned counsel for the petitioners



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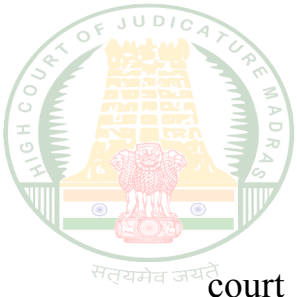
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states that the third party has been given a Special Power of Attorney and there is nothing on record to show that he is well acquainted with the facts of the case.

5. It is made clear that the said issue of whether the Power of Attorney Agent is competent to depose on behalf of the Principals, especially with regard to the personal knowledge of the Principals is left open and the defendants may compel the trial court to draw adverse inference.

6. In view of the above, this Court is not inclined to interfere with the impugned order dated 13.03.2024 passed in I.A.No.7 of 2023 in O.S.No.6861 of 2006 on the file of Learned XVIII Assistant City Civil Court, Chennai, allowing the application made by the 1st and 2nd respondents/plaintiffs seeking permission to represent them through the power agent.

7. However, considering that the suit is of the year 2006, the trial



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court is directed to dispose of the said suit in O.S.No.6861 of 2006 on merits and in accordance with law on or before 31.03.2026.

8. With the above observations and directions, this Civil Revision Petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

06.08.2025

skt

Index	: Yes / No
Speaking order	: Yes / No
NCC	: Yes / No

To

The XVIII Assistant City Civil Court,
Chennai.

P.B. BALAJI, J.

skt



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