



WEB COPY

CMP NO. 26052



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-01-2025

CORAM

THE HONOURABLE MR JUSTICE S. S. SUNDAR

AND

THE HONOURABLE MR.JUSTICE P. DHANABAL

CMP NO. 26052 of 2024

in

OSA.SR.No.77594 of 2024

P.Parthasarathy

Managing Trustee, Kankipati Kanniah Chetty Charities NO.19/6
Venkatateswara Nagar, 4th Main Road, 2nd Floor Kolathur chennai 600
099.

Appellant(s)

Vs

Kankipati Kannaiah Chetty Charities

Represented by its Trustees P.Lakshminarayana No.5 Perumal Koil
Street, Minjur. and 7 Others

Respondent(s)

Prayer in C.M.P.No.26052 of 2024 : Civil Miscellaneous Petition filed under Section 151 of Code of Civil Procedure to accept the cause title in O.A.No.108 of 2020 as 7th respondent/defendant the Manager, Axis Bank, 140, N.H. Road, Chennai – 34 and 8th respondent/defendant Punjab National Bank, 2nd Floor, Punjab Tower, 46/49 Royapettah High Road, Chennai – 14.

Prayer in O.S.A.SR.No.77594 of 2024 : Original Side Appeal filed under Order



XXXVI Rule 2 of Original Side Rules r/w. Clause 15 of the Letters Patent ag
order and decree dated 11.03.2024 in O.A.No.108 of 2020 in C.S.No.685 of 1997 on the
file of this Court.

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For Appellant(s):

Mr.P.Parthasarathy (party-in-person) - No Appearance

For Respondent(s):

R1- Left

R2 to R8 – No Appearance

Mr.P.Dinesh Kumar, Amicus Curiae

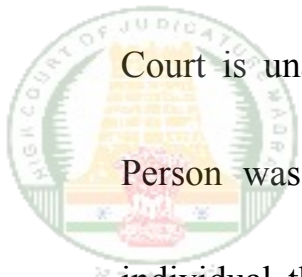
ORDER

(Order of the Court was made by the Hon'ble S.S.Sundar J.)

Since the petitioner, who is appearing as Party-in-Person, was unable to make his submissions on merits, this Court appointed an *Amicus Curiae* to go through the papers and assist the Court.

2.This petition is filed to accept the cause title after impleading respondents 7 and 8 who are not parties in the Original Application in O.A.No.108 of 2020. In such circumstances, the petition to accept the cause title is not maintainable.

3.It is also brought to our notice that, at least two of the Benches have directed the matter to be listed before some other Bench. The Party-in-Person, who is unable to present the facts, appears to have made unnecessary and unwanted comments. This



Court is unable to show any indulgence to the petitioner. Even though the

Person was present in Court on the earlier occasion and this Court informed the

individual the date to which the matter is again posted, the Party-in-Person does not

appear today. This Court finds no merit in the petition for the stated reasons.

4.As a result, this petition is dismissed.

5.When the petitioner seeks permission to appear in person in future, the Party-in-Person

Committee may consider the conduct and attitude of the petitioner. We are bound to

record that the petitioner, who appeared as Party-in-Person, is not competent to narrate

the facts. It is also to be noted that his pleadings is drafted in such a way that no Court

will get any facts which are necessary to decide the prayer the petitioner seeks.

6.We record our appreciation to Mr.P.Dinesh Kumar, who appeared as *Amicus Curiae* to

assist the Court by narrating few facts which are borne out from the records.

(S.S.SUNDAR J.) (P.DHANABAL J.)
30-01-2025

MKN