



C.R.P(MD)No.3422 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.11.2025

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

C.R.P(MD)No.3422 of 2025

and

C.M.P.(MD).No.18551 of 2025

1. A.Balakrishnan

2. B.Nagarajan @ Nagaraj

... Petitioners

Vs.

AP.Venukanan

Through his Power Agent

Gunasekaran

... Respondent

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the fair and decretal order dated 22-08-2025 passed in I.A.No.1 of 2024 in CMA.No.2 of 2024 on the file of the Subordinate Court, Srivilliputhur and allow the present civil revision petition and thus render justice.

For Petitioner : M/s.M.Vijayarathinam

For Respondent : No appearance

ORDER

This Civil Revision Petition is filed seeking to set aside the fair and decretal order dated 22-08-2025 passed in I.A.No.1 of 2024 in CMA.No.2 of 2024 on the file of the Subordinate Court, Srivilliputhur.



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2. Challenge in the present Civil Revision Petition is an order permitting the power agent of the respondent to defend the Civil Miscellaneous Appeal in CMA.No.2 of 2024 on behalf of the original defendant. It is the claim of the petitioner that the application had not been filed by the respondent himself and one R.Gunasekaran, Power Agent of the respondent had taken out an application to represent the respondent as a power agent. He further submit that no documents had been produced before the court evidencing that he had been appointed as a power agent. Hence, he seeks indulgence of this Court.

3. I have carefully considered the submissions made by the learned Counsel for the petitioner and perused the materials available on record.

4. A perusal of the impugned order herein would indicate that the Power Deed had been filed before the Court and only on verification of the power deed, the court below proceeded to decide further. The contention that has been raised by the petitioner that the respondent himself should move an application is wholly misconceived. As and when the respondent has appointed a power agent to represent himself, the power agent having also filed an affidavit on behalf of the



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respondent, there is no necessity for the respondent himself to file the application as it would only be not meaningful for the execution of the power of attorney.

5. In view of the above, this court do not find any infirmity in the order impugned herein. Accordingly, this Civil Revision petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

17.11.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

1. The Judge,
Subordinate Court, Srivilliputhur

2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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K.KUMARESH BABU,J.

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