

IN THE COURT OF THE JUDICIAL MAGISTRATE NO.II, KARUR.

Present: Thiru. M. CHARLES ALBERT, B.Com.,B.L.,
Judicial Magistrate No. II, Karur.

Monday, the 09th day of March, 2026

CrI.M.P. No. 2974 of 2025

In

STC.No.2638 of 2023

RK WIND FARMS(KARUR) PVT LTD

Registered Office

No.292, Mahatma Gandhi Toad,

Karur-639002

Represented by its authorized officer,

Erstwhile **G.Subramani** aged 49 years and S/o.V.Gopalan,

No.167, Nallaiyampalayam Pudhur,

Paramathy Velur,

Velur.

Now **S.William Armstrong,**

S/o.A.Santiago,

No.3/32, Line Street, Taluk Office Road,

Dindigul-624001.

....Petitioner/Complainant

- Vs -

N.Paraneetharan, aged 42 years

S/o.Natarajan,

No.5, M.Kulandaivel Road,

Behind Kavithalaye Theater,

Karur-639001.

....Respondent/Accused

^This case coming before me on 09.03.2026 for final hearing in the presence of **Thiru.RK.Karthik, B.B.M., B.L.**, the Learned Counsel appearing for the Petitioner/Complainant and **Thiru.S.Sivakumar,M.Com., M.L.,L.L.B.**, the Learned Counsel appearing for the Respondent/Accused and upon hearing submissions and perusal of records this court passed the following,

ORDER

This petition has been filed by the petitioner to recognize/permit William Armstrong as Authorized officer to proceed to case and let in evidence.

2. The gist of the petition is as follows:

The petitioner/Complainant submitted that the petitioner is the authorized officer of the RK WIND FARMS(KARUR) PVT LTD and he know the facts of the case on the basis of the documents. Further submits that the company has formerly authorized one G.Subramani who is the authorized officer of the company to file this complaint and to give evidence and to do act needful. In pursuance of the authorization, the said G.Subramani has filed the above complaint. Further submits that the said G.Subramani was examined as PW1 on the complainant side. Subsequently, he has resigned his job from our company, he does not turn up, since he has resigned his job, he is not willing to come. Further submits that evidence given by the said G.Subramani is to be eschewed. After relieving his job, our company has appointed me as authorized officer to proceed the case and let in evidence. Company has been passed resolution appointing me as authorized to proceed the case, the true copy of the resolution is produced. Hence It is prayed that this Honourable court may be pleased to recognized/permit William Armstrong as Authorized officer to proceed the case and let in evidence and thus render justice.

3. The gist of the Reply filed by the respondent is as follows:

All the allegations made in the petition are false, frivolous, vexatious and highly speculative. This petition is unsustainable either in law or on facts. Further submits that the petitioner is put to strict proof of all the averments made in this petition except those that are specifically admitted or traversed herein. It is specifically denied that G.Subramani has resigned his job from the complainant company and he does not turn up and since he has resigned his job, he is not willing to come and the evidence given by the said G.Subramani is to be eschewed. In fact, complainant company authorized G.Subramani to give evidence and he has given evidence as PW1. Then the Managing Director of the above said company has filed a petition in C.M.A.No.4377/2023 to eschew the evidence of his power agent namely G.Subramani to fill up the lucuna. Since there is no case at all to the petitioner in that petition, they have allowed the said petition to be dismissed as not pressed. Now the present power agent has filed the above petition to amend the main complaint by incorporating new power agent. It is pertinent to note that already the earlier power agent has given evidence as PW1 and the same is in record in the above case. Then to fill up lacuna in the said evidence, the complainant has filed the above said petition. So, the petitioner is not entitled to file this petition to amend the main complaint. Further the present power agent of the petitioner company has to file separate petition to seek permission to conduct this case as power agent of the petitioner company by producing copy of resolution passed by the petitioner company to that effect. Only after the permission given by this Hon'ble Court to the new power agent to conduct this case on behalf of the petitioner company,

he is entitled to file this petition to amend the main complaint. Without the said permission, the new power agent is not entitled to file this petition. Hence, he prays to dismiss the petition.

4. Point for consideration:

Whether this petition has to be allowed or not?

5. Answer to the Point:

Heard on both sides. This Court has perused the records.

It is seen that RK Wind FARMS (PVT) LTD company is a Registered company and its Managing Director Karupannan Subramanian has authorized Mr.G.Subrmanian for appearance before court while presenting this complaint. Subsequently, said Mr.G.Subramanian has resigned his job from the company and does not turn up and not willing to come. Now, said Managing Director has authorized Mr.S.William Armstrong for appearance before court on resolution which submitted in Crl.M.P.No.4377/2023. Respondent contended that Without the said permission, the new power agent is not entitled to file this petition.

Considering this petition seeking permission to recognize said Mr.S.Willam Armstrong, and Respondent did not object to recognize said William Armstrong for the petitioner firm, this court is allowed said Mr.S.Willam Armstrong for appearance before this court and etc as stated in Resolution.

6. In the result, the petition is allowed.

Dictated to Steno Typist, and typed by her, corrected and pronounced by me, on this the 09th day of March, 2026.

**JUDICIAL MAGISTRATE NO.II
KARUR.**