

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on : 24.02.2015

Pronounced on : 26.02.2015

CORAM

THE HONOURABLE MR. JUSTICE P.R.SHIVAKUMAR

C.R.P (NPD) No.3934 and 3935 of 2013
and
M.P.Nos.1 +1 of 2013 and 1/2014

C.R.P.(NPD) No.3934 of 2013

1.P.T.Sampandam
2.R.Sadayappan

... Petitioners

vs.

1.Dr.E.N.Subramanian
2.S.Karthikeyan
3.S.Sajjal

... Respondents

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India against the fair and decretal order dated 23.09.2013 made in E.A.No.11 of 2013 in O.S.No.234 of 1994 (scheme decree) on the file of the Principal Subordinate Judge (Scheme Judge), Mayiladuthurai.

C.R.P.(NPD) No.3935 of 2013

1.R.Sadayappan
2.P.T.Sampandam

... Petitioners

vs.

1.S.Sugumar
2.The Chairman
A.V.Charities
Thiruvilandur

Mayiladuthurai
Nagapattinam District

... Respondents

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India against the fair and decretal order dated 23.09.2013 made in E.A.No.13 of 2013 in O.S.No.234 of 1994 (scheme decree) on the file of the Principal Subordinate Judge (Scheme Judge), Mayiladuthurai.

For Petitioners : Mr.Sriram Panchu,
in both CRPs Senior Counsel
for Mr.M.Venkateswaran

For Respondents : Mr.K.V.Subramaniam,
in both CRPs Senior Counsel for
Mr.K.Govi Ganesan

COMMON ORDER

Heard both sides.

2. Two of the trustees of the Trust Board governing the A.V.C. Trust appointed by the Scheme Court were sought to be removed and replaced by other two members by a resolution of the General Body. As against those resolutions they filed Execution Applications before the Scheme Court and the Scheme Court allowed those applications. As against the orders passed in their applications, the revision petitioners P.T.Sam pandam and R.Sadayappan have brought forth these two civil revision petitions under Article 227 of the Constitution of India.

3. Pending disposal of the Civil Revision Petitions, applications for filling up the vacancies in the Trust Board were called for and those two erstwhile trustees who were claimed to have been removed by the resolution of the General Body also competed. However, the Scheme Court did not select them and others were preferred. In view of the said development, the petitioners as well as the respondents are not interested in pursuing further. Except for the purpose of interpreting the amended Scheme, nothing more survives to be adjudicated upon in these revisions. The contesting parties in these revisions are also not interested in seeking an adjudication regarding the interpretation of the relevant clauses of the amended Scheme.

In view of the same, recording the above said submissions, this court hereby dismisses both the civil revision petitions as nothing survives to be adjudicated upon. However, there shall be no order as to cost. Consequently, the connected miscellaneous petitions are closed.

26.02.2015

Index : Yes/No
Internet : Yes/No
asr

To

The Principal Subordinate Judge (Scheme Judge),
Mayiladuthurai

P.R.SHIVAKUMAR, J.

asr/-

C.R.P (PD) Nos.3934 and 3935 of 2013

and

M.P.Nos.1+1 of 2013 and 1 of 2014

26.02.2015