

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2016

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
THE HON'BLE MR. JUSTICE M.M.SUNDRESH

O.S.A.No.16 of 2016

Appu John Estates Charitable Trust
represented by its Trustees:S.C.Vijayakumar
No.23, Nungambakkam High Road,
Nungambakkam, Chennai 34.

.. Appellant

versus

1.V.K.John
2.W.S.Seetharaman
3.Prema Chandrasekhar
4.T.R.T.Thriumalvasi

.. Respondents

Appeal filed under Order 36 Rule 11 of Original Side Rules read with Clause 15 of the Letters Patent Act, against the Order dated 10.04.2015 made in A.No.2873 of 2014 in C.S.No.423 of 1995, on the file of this Court.

A.No.2873 of 2014:

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This Application praying to implead Appu John Esttes Charitable Trust rep. by its Trustee S.C.Vijayakumar, No.23, Nungambakkam High Road, Chennai as a 6th defendant in the above suit in the place of T.R.T.Thirumalvasi/5th defendant.

For Appellant

... Mr.P.C.Harikumar for

M/s.P.C.Harikumar and Associates

For Respondents

.. Mr.Abraham Markos

for M/s.King and Patridge for R1

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J U D G M E N T

(Judgement of the Court was delivered by The Hon'ble Chief Justice)

On hearing the learned counsel for the parties, it is agreed that the following order be passed:

i) The impugned order is set aside.

ii) Last opportunity is granted to the appellant to make his submissions on the application filed by him, for which the date is fixed on 22.02.2016 before the learned Single Judge, making it clear that the appellant is not entitled to any adjournment on any account whatsoever and the learned single Judge thereafter would take a decision on the merits of the controversy of the issue.

2. The appeal is accordingly allowed in the aforesaid terms.
No costs.

3. Registry to ensure that the application and the suit are listed before the learned single Judge as directed aforesaid.

ksr

S/d-
Assistant Registrar (CS-VI)

True Copy

Sub-Assistant Registrar

To

The Sub Assistant Registrar,
Original Side,
High Court, Chennai

+ 1 cc to M/s.King & Partridge, Advocate SR 8065

+ 1 cc to Mr.P.C.Harikumar & Associates Advocates SR 8060

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prk22/2

O.S.A.No.16 of 2016

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