

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 23.01.2017

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

APPL.No.4019 of 2011

in

C.S.D.No.26687 of 2011

1. A.J.David
2. J.Gerald

... Applicants

Versus

1. RYA Madras Metro Trust
Rep by its Secretary Rajesh Kothari
12, Saravana Street,
T.Nagar, Chennai – 600 017.
2. Nirma Nahar
3. Kishan Jain
4. Prakash Sacheti
5. Aditya Damani

... Respondents

Prayer in Appl.No.4019 of 2011:-

This application has been filed under Order XIV Rule 8 of O.S. Rules r/w Section 92 of C.P.C. praying to grant an order of leave to the plaintiffs u/s. 92 of C.P.C. And further orders necessary for the administration of the first respondent Trust.

Prayer in C.S.D.No.40000 of 2011 :- The plaint is filed as Civil Suit under under Section 19 & 34 of the Indian Trusts Act and Order VII Rule 1 of C.P.C. & Order IV Rule 1 of O.S.Rules r/w Section 92 (1)(a) & (d) of C.P.C, praying for a judgment and decree:

- (a) For a direction to the first defendant RYA Madras Metro Trust Board to appoint three Chartered Accountant Member Trustees at its Extra Ordinary General Body Meeting (EGM) instead of the present auditor of first defendant Trust to prepare revised true account statements from 2005-06 to 2010-11, after due verification and audit, and to file revised Income Tax returns for Assessment from 2005-06 to 2010-11 and or as per the directions of this Court;
- (b) To grant permanent injunction restraining the first defendant Trust Boar's illegally appointed Trustees Mr.Pradeep Bokaria and Mr.Sanjay Golecha from functioning and holding office of the first defendant Trust and from proceeding with 2010-2011 accounts.
- (c) To award the costs of this suit;

For Applicants : No appearance

For Respondents : No appearance

JUDGMENT

When the application was called at 10.30 a.m., there was no representation for the applicants. Again, when the matter was called for second time at 11.30 a.m., there was no representation on behalf of the applicants.

2. Hence, this application is dismissed for non-prosecution and the suit in C.S.D.No.26687 of 2011 is hereby returned. Registry is directed to return the plaint to the applicants. No costs.

23.01.2017

rts

N.SATHISH KUMAR, J.,

rts

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http://judis.nic.in/DO_Chennai/content.asp