IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.11.2019

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

E.P.No.142 of 2016 in
C.S.No.180 of 1948
and
O.P.No.185 of 2019

E.P.No.142 of 2016

Subba Reddy Charities rep. by
A.J.Yuvaraj Reddy (Legal Heir of the
Managing Trustee, Mr.Jayachandra Reddiar,
Subba Reddy Charities Trust
12A/1, 1st Cross, 1st Main Road,
Natesa Nagar, Virugambakkam,
Chennai - 600 092. ... Petitioner/
Decree Holder

Vs

1.A.Sankarnarayan
S/o.Anathasyanam Reddy
Managing Trustee Subba Reddy Charities Trust,
residing at 3 & 4 Thadikaraswamy Koil Street,
Alandur, Chennai - 600 016.

2.ATP Venkatachalapathy
S/o.A.Deenadayalu Reddy
Managing Trustee Subba Reddy Charities Trust,
residing at 9/5 & 29/13 Thadikaraswamy Koil Street,
Alandur, Chennai - 600 016. ... Respondents/
Judgment Debtors

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Petition filed under Order 21 R/w. Rule 35 of CPC to petitioner the petitioner to file Execution Petition as a legal Managing Trustee and to hand over the trust properties for Trust Management as per scheme Decree passed in C.S.No.180 of 1948 and C.S.No.247 of 1962 by this Court under Order 21 Rule 32 of CPC in default, this Court may issue warrant for attachment of schedule mentioned trust properties which are all under the Management of Judgment Debtors.

For Petitioner : Mr.A.Yuvaraj Reddy
Party-in-Person [Died][No appearance]
For Respondents : Mr.T.Viswanatha Rao

O.P.No.185 of 2019

A.J.Yuvaraj Reddy. ... Petitioner

Vs

1.A.Sankarnarayan

2.ATP Venkatachalapathy .. Respondents

Petition filed under Sections 11, 37, 9, 70, 80, 82, 88 and 94 of Indian Trust Act, 1872/1882 and Section 92 of CPC (a to h) to get the expenses incurred by petitioner Trustee to be indemnified by two trustees.

For Petitioner : Mr.A.Yuvaraj Reddy

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Party-in-Person [Died][No appearance]

For Respondents : Mr.T.Viswanatha Rao

COMMON ORDER

Today [08.11.2019], when the matter is taken up for hearing, it is represented that the petitioner appearing in person, namely, Mr.A.J.Yuvaraj Reddy, died on 23.09.2019, but so far, no application has been filed to prosecute the Execution Petition and the Original Petition. Hence, both the Petitions were dismissed for non-prosecution.

08.11.2019

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K.KALYANASUNDARAM, J.

cse

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C.S.No.180 of 1948
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