

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(TESTAMENTARY AND INTESTATE JURISDICTION)

TUESDAY, THE 3RD DAY OF AUGUST 2019

THE HON'BLE MR.JUSTICE K.KALYANASUNDARAM

A.NO.6439 OF 2019

IN

O.P.No.67 of 2012

In the matter of
G.C.Nataraj Chettiar and
others Family Trust
and

In the matter of the Indian
Trust Act 1882

1.Mr.G.S.Parthasarathy,
Son of late G.C.Singaram Chettiar aged 74 syears,
Residing at Old No.10,Amman Kovil Street,
Park Town, Chennai-600 003.

2.Mr.G.T.Venugopal alias
G.T.Krishnamurthy, Son of late
G.S.Thiyagaraja Chettiar aged 61 years,
residing at Old No.11, New No.22,
Amman Kovil Street,
Park Town, Chennai-600 003.

3.Mr.G.E.Mohana Sundaram alias
G.E.Mohan, Son of late G.S.Ekambaram
Chettiar, aged 55 years, residing at Old No.23,
Amman Kovil Street, Park Town, Chennai-600 003.

4.Mr.G.T.Sudakar,
son of late G.N.Thangavel Chettiar,
aged 45 years, residing at Old No.9,
Amman Kovil Street,
Park Town, Chennai-600 003.

5.Mr.G.D.Giridhar,
Son of late G.S.Dhanapal Chettiar,
aged 44 years,
residing at Old No.3/1,
New No.5, 38th Street,
G.K.M.Colony,
Chennai-600 082.

<https://hcservices.ecourts.gov.in/hcservices/>

6.Mr.G.D.Somasundaram,
son of late G.S.Dhanapal Chettiar,

aged 41 years, residing at
Old No.4/1, New No.19/1 Raja 1st Street,
Perambur, Chennai-600 011. ..Petitioners

A.No.6439 of 2019:

1.Mr.G.S.Parthasarathy,
Son of late G.C.Singaram Chettiar aged 81 years,
Residing at Old No.10,Amman Kovil Street,
Park Town, Chennai-600 003.

2.Mr.G.T.Venugopal alias
G.T.Krishnamurthy, Son of late
G.S.Thiyagaraja Chettiar aged 68 years,
residing at Old No.11, New No.22,
Amman Kovil Street,
Park Town, Chennai-600 003.

3.Mr.G.E.Mohana Sundaram alias
G.E.Mohan, Son of late G.S.Ekambaram
Chettiar, aged 62 years, residing at Old No.23,
Amman Kovil Street, Park Town, Chennai-600 003.

4.Mr.G.T.Sudakar,
son of late G.N.Thangavel Chettiar,
aged 52 years, residing at Old No.9,
Amman Kovil Street,
Park Town, Chennai-600 003.

5.Mr.G.D.Giridhar,
Son of late G.S.Dhanapal Chettiar,
aged 51 years,
residing at Old No.3/1,
New No.5, 38th Street,
G.K.M.Colony,
Chennai-600 082.

6.Mr.G.D.Somasundaram,
son of late G.S.Dhanapal Chettiar,
aged 48 years, residing at
Old No.4/1, New No.19/1 Raja 1st Street,
Perambur, Chennai-600 011. ..Applicants

Application praying that this Hon'ble Court be pleased
To grant leave to submit the Statement of Accounts for the
missing periods of 2015-16 and 2016-2017 along with current
financial year of 2017-2018.

This Original Petition coming on this day before this
court for hearing the court made the following order:

The original petition in O.P.No.67 of 2012 was filed seeking permission to sell the petition mentioned property. The original petition was allowed on 30.3.2012, permitting the petitioners to sell the property for a sum of Rs.30,00,000/-, on the condition that the petitioners shall furnish the accounts about income and expenditure of the trust once in six months. Subsequently, the order was modified on 31.07.2013, permitting the petitioners to file the accounts once in a year.

2. The applicants would state that pursuant to the order passed in the above original petition the petitioners have submitted the accounts till 2013-14 and 2014-15, however, subsequently, due to change of counsel, the accounts could not be filed in time. Hence, this application has been filed to grant leave to submit the Statement of Accounts for the missing periods of 2015-16 and 2016-17 along with current financial year of 2017-18.

3. In the affidavit filed in support of this application, it has been stated that the petitioners have changed their counsel from Mr.C.Nithysh Sekhar to Mr.P.Shama Murthy and thereafter, handover the account books and audit report to the said counsel, but, there is no proper response from Mr.P.Shama Murthy and hence, the application has to be allowed.

4. Considering the above facts and the submissions made by the learned counsel for the applicants, this application is allowed.

Sd/.M.K.K.S.J.

03.09.2019

//Certified to be a true copy//
Dated this the day of 2019.

SU/09.09.2019

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.



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