

C.M.P.No.10408 of 2019
in
A.S.SR.No.34977 of 2019

S.M.SUBRAMANIAM, J.

The petition is filed to include the newly inducted Trustee in the array of parties and accept the changed cause title in the appeal suit.

2. The petitioner made a submission that the suit was instituted in the year 1999, and the plaintiff trust was managed and administered by ten trustees. The names of the trustees were shown in the cause title of the plaint as well as at all required places. Subsequently, a new Trustee Dr.Praveen Tellakula has been inducted into the Board of Trustees. Therefore, it became necessary to implead him as a party for adjudication of the appeal suit.

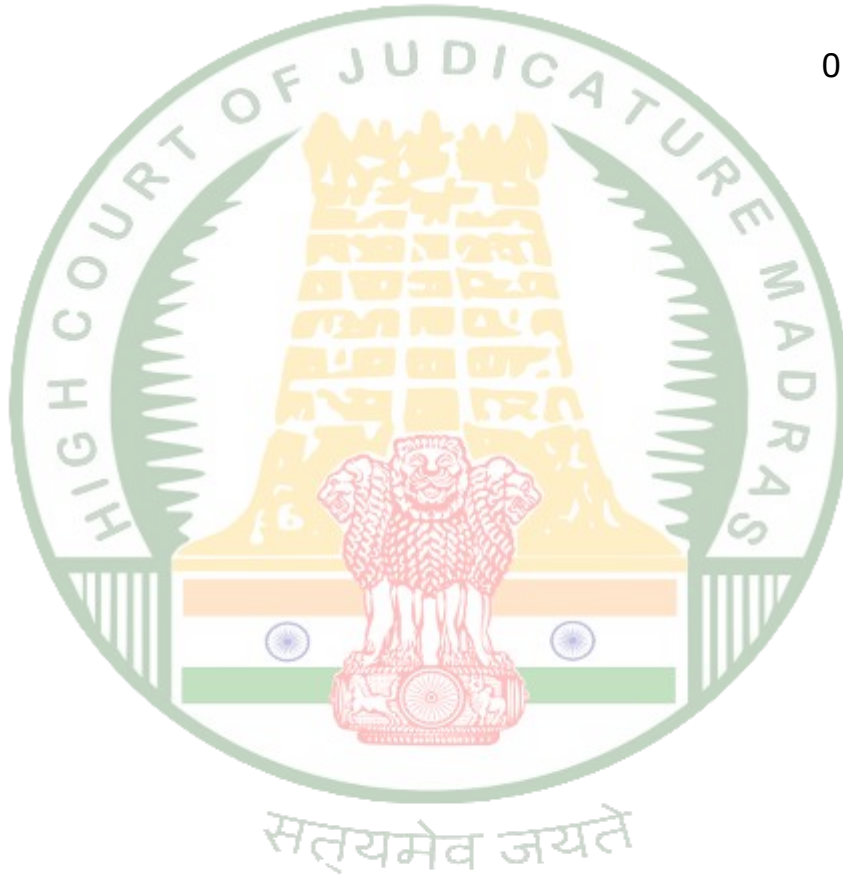
3. The learned counsel for the respondents objected for such induction on the ground that action was not initiated during the appropriate time and he was deprived of his right of defence. However, all these grounds, on merits, shall be raised by the parties at the time of adjudication of the appeal suit. However, the impleadment, at this juncture, cannot be rejected in view of the fact that erstwhile trustee died and new trustee is inducted. This being the facts and

circumstances, the civil miscellaneous petition stands allowed.

4. The Registry is directed to carry out the necessary amendments.

03.01.2020

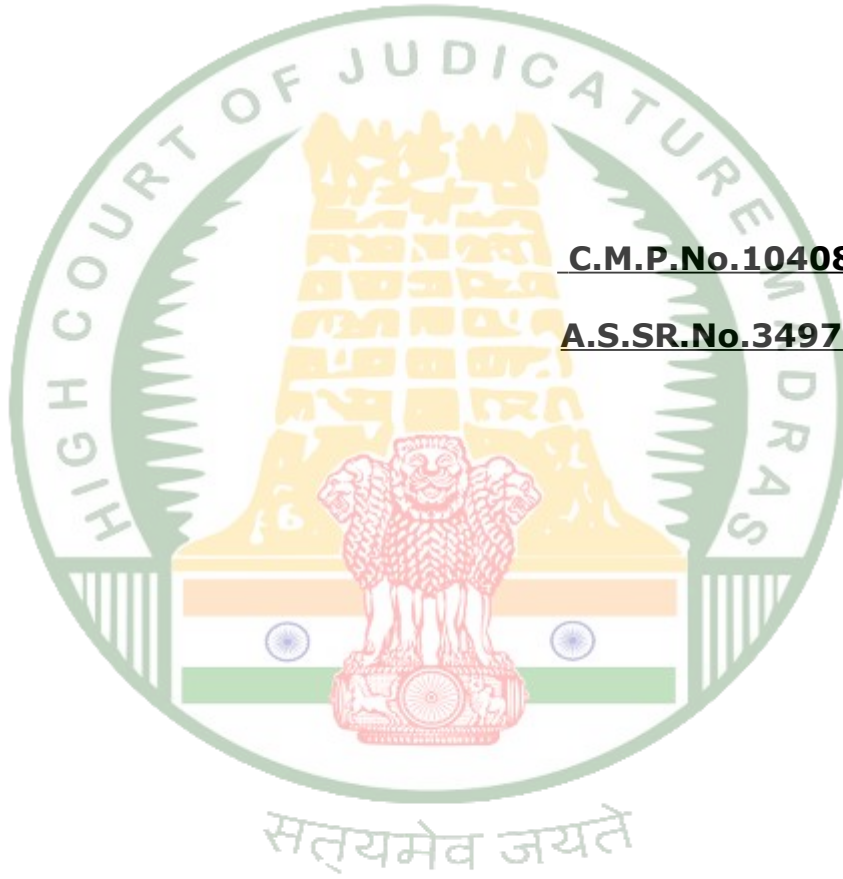
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