



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 23RD DAY OF JULY 2021

THE HON'BLE MR. JUSTICE N.SESHASAYEE

C.S. No.562 of 2005

In the matter of K.Vaidyalingam Chetty
Charities.

1. K.S. Jayachandran
Residing at 3 (Old No. 14), 6th Street,
Baba Nagar, Villivakkam, Chennai- 600 049.

2. K.S.Paramasivam
Residing at No. 17, Veerasamy Pillai Street,
Chennai – 600 001.

... Plaintiffs

-Versus-

K.S.Arunachalam
No. 37, Kottai Street,
Thiruninravur.

... Defendant

C.S. No.562 of 2005

Civil Suit praying that this Hon'ble Court be pleased to pass a
judgment and Decree against the Defendant as follows:

(a) Remove the Defendant as a Trustee of K.Vaidyalingam Chetty
Charities.

(b) Order him to render account as to how much he has received
from Canara Bank Broadway Branch as interest on Rs. 15 Lakhs deposited
as per order of this Hon'ble Court and how much he has spent for the Trust's
Objectives with necessary vouchers.

(c) Order him i.e. The Defendant to vacate and deliver vacant



possession of the Choultry at No. 37, Kottai Street, Tirunindravur, to the Plaintiffs.

(d) Pass further orders, as this Hon'ble Court may deem fit in the interest of the Trust.

(e) Direct the defendant to pay the costs of this suit to the plaintiff

This civil suit is coming on this day before this court for hearing in the presence of Mr.P.R.Krishna Raj, Advocate for the plaintiff herein, and upon reading the plaint and the memo filed herein and this court doth recording the memo filed by the plaintiff counsel and **it is ordered as follows:-**

2) That the suit in C.S.No. 562 of 2005, be and is hereby dismissed as withdrawn.

3) That there shall be no costs of this civil suit.

WITNESS, THE HON'BLE MR.JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE
23RD DAY OF JULY 2021

sd/-

ASSISTANT REGISTRAR (OS-I)

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.I)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.



NS

26.10.2021

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C.S. No.562 of 2005

DECREE
DATED 23/07/2021

THE HON'BLE MR.JUSTICE
N.SESHASAYEE

FOR APPROVAL: 29/12/2021

APPROVED ON: 04/01/2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2021

CORAM : JUSTICE N.SESHASAYEE

C.S.No.562 of 2005

1.K.S.Jayachandran
2.K.S.Paramasivam

...Plaintiffs

Vs.

K.S.Arunachalam

...Defendant

PRAYER : Civil Suit filed under Sec.92 of Civil Procedure Code read with Order IV Rule 1 of O.S.Rules:

- A) Remove the Defendant as a Trustee of K.Vaidyalingam Chetty Charities
- B) Order him to render account as to how much he has received from Canara Bank Broadway Branch as interest on Rs.15 Lakhs deposited as per order of this Hon'ble Court and how much he has spent for the Trust's Objectives with necessary vouchers.
- C) Order him i.e. The Defendant to vacate and deliver vacant possession of the Choultry at No.37, Kottai Street, Tirunindravur, to the Plaintiffs.
- D) Pass further orders, as this Hon'ble Court may deem fit in the interest of the Trust.



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E) Direct the defendant to pay the costs of this suit to the Plaintiffs.

For Plaintiffs : Mr.P.R.Krishnaraj

JUDGMENT

The learned counsel for the plaintiffs seeks the permission of this Court to withdraw the Suit. He has filed necessary memo to that effect.

2.The said memo is recorded.

3.In the result, the Suit is dismissed as withdrawn. No costs.

Sd/- N.S.S.J
23/07/2021

//Certified to be true copy//
Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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