

C.M.P.No.17801 of 2021  
in W.A.No. 2236 of 2021

PARESH UPADHYAY, J.,

and

SATHI KUMAR SUKUMARA KURUP, J.,

[Order of the Court was made by *PARESH UPADHYAY, J.*]

This is a petition for impleading the petitioner in the proceeding of W.A.No.2236 of 2021.

2. Heard learned advocates.

3. Mr.S.Gopinathan, learned advocate for the petitioner has drawn the attention of this Court to the averments in ground (c) in the memo of appeal. It is submitted that this petition be allowed.

4. Learned advocate for the appellant has contested this petition. It is submitted by her that if the prayer clause in the writ petition is looked at, presence of the present petitioner is not required. It is submitted that this petition be dismissed.

5. Having heard learned advocates for the respective parties and having considered the material on record including the fact that the present petitioner is named by the appellant in

the petition so also in this appeal, this petition needs to be allowed. Reference needs to be made to one of the grounds in this appeal which reads as under:-

*'The intention of the Complainant Mr.D.Prabhu is malafide and motivated as he was ousted from the Appellant Trust on 06.12.2013 and is only a disgruntled ex-Trustee of the Appellant Trust. The sole intention of the Complainant was to obtain money from the Appellant Trust or get a separate institution of the Appellant Trust for himself'.*

6. In view of the above, the petitioner is, if not necessary, at least a proper party.

7. Application is allowed.

(P.U., J.)

(S.S.K., J.)

26.10.2021

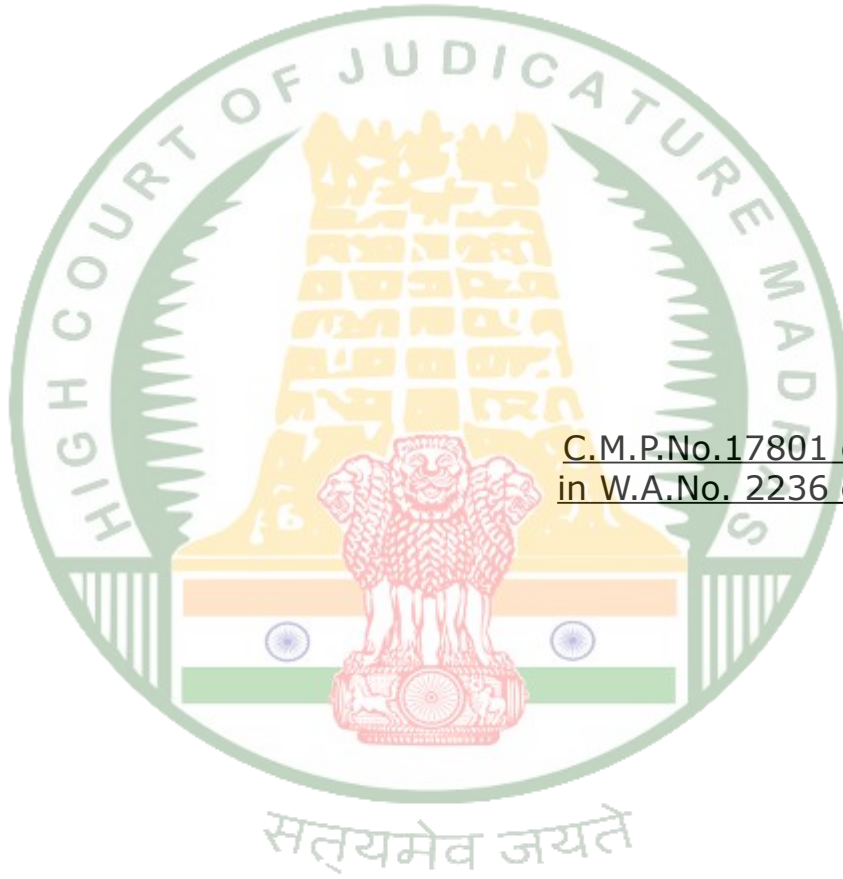
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Note: Registry is directed to carryout necessary amendments.

PARESH UPADHYAY, J.,  
and  
SATHI KUMAR SUKUMARA KURUP, J.,

ssm



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