

A.No.3289 of 2020

in

C.S.No.136 of 1951

M.SUNDAR.J.,

An application being A.No.858 of 2020 came to be disposed of by me in and by an order dated 28.02.2020, which reads as follows:

'Ms.Nalini Chidambaram, learned Senior Counsel instructed by counsel on record Mr.N.R.R.Arun Natarajan for applicant and Mr.P.Annal, learned panel counsel for Indian Overseas Bank (sole respondent) are before this Court.

2. Vide an earlier order dated 05.01.2007, Hon'ble Mr. Justice N.V.Balasubramanian (Retd.) was appointed as Administrator of applicant trust.

3. Demise of Hon'ble Mr. Justice N.V.Balasubramanian (Retd.) has necessitated filing of instant application. It is submitted by learned Senior Counsel that applicant has taken the consent of Hon'ble Mr.Justice R.S.Ramanathan (Retd.) and Hon'ble Justice Mr.R.S.Ramanathan (Retd.) has consented to be appointed as Administrator in the place of Late Hon'ble Mr. Justice N.V.Balasubramanian (Retd.).

4. Hon'ble Mr.Justice R.S.Ramanathan (Retd.), residing at Parijatham, New No.15, Rajagopalan street, Valmiki Nagar,

Thiruvananthapuram, Chennai – 41, Mobile:9444222391, is appointed as Administrator and in all other aspects/respects order dated 05.01.2007 (order appointing Hon'ble Mr.Justice N.V.Balasubramanian as administrator) will continue to operate. Application is disposed of on above terms.'

(underlining made by this Court for ease of reference)

2. In this application in this virtual hearing today, Mrs.Nalini Chidambaram, learned senior Advocate instructed by counsel on record for applicant and Mr.S.Muthukumar, learned counsel representing Mr.P.Annal, counsel on record for lone respondent Indian Overseas bank, are before me.

3. Learned senior counsel submitted that though the prayer in captioned application is couched in a language which talks about delineating powers of the Administrator to administer the applicant Trust for better utilization of the funds, in the light of another application being A.No.595 of 2021 for modification of scheme having been taken out and as the same is now to be heard out by the Hon'ble Portfolio judge concerned, it will suffice if the underlined portion in my 28.02.2021 order is deleted as the 05.01.2007 order has now worked itself out. In

other words, this is the limited modification of my order that is now being sought is learned senior counsel's say.

4. Learned Bank counsel, on instructions, submits that he is not opposing the above prayer and he has no objection to the prayer being acceded to.

5. This Court having heard learned senior counsel, having perused the affidavit filed in support of captioned application, considering the innocuous nature of the limited prayer now made in the hearing and noticing that limited prayer is not opposed, is convinced that the modification sought for by learned senior counsel deserves to be acceded to.

6. Captioned application is disposed of by directing deletion of the underlined portion and post deletion, my 28.02.2020 order will now read as follows:

'Ms.Nalini Chidambaram, learned Senior Counsel instructed by counsel on record Mr.N.R.R.Arun Natarajan for applicant and Mr.P.Annal, learned panel counsel for Indian Overseas Bank (sole respondent) are before this Court.

2. Vide an earlier order dated 05.01.2007, Hon'ble Mr. Justice N.V.Balasubramanian (Retd.) was appointed as Administrator of applicant trust.

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4. Hon'ble Mr.Justice R.S.Ramanathan (Retd.), residing at Parijatham, New No.15, Rajagopalan street, Valmiki Nagar, Thiruvannamiyur, Chennai – 41, Mobile:9444222391, is appointed as Administrator.

7. Application disposed of on above terms.

सत्यमेव जयते

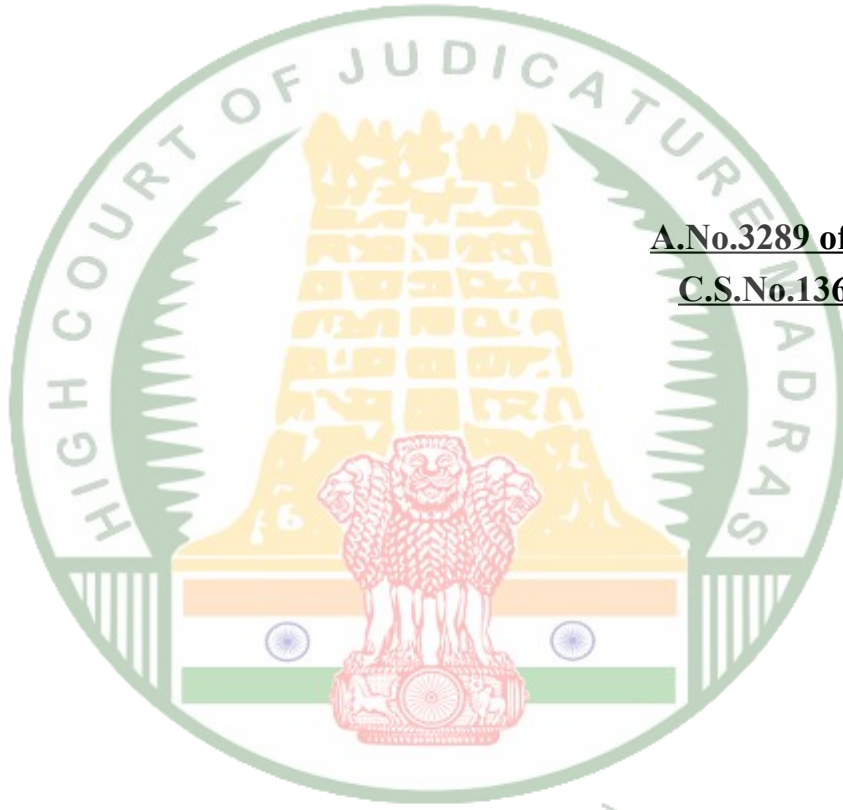
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M.SUNDAR.J.,

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