



W.M.P.No.28401 of 2023
in W.P.No. 16469 of 2010

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Dr.ANITA SUMANTH, J.

The reasons set out in the affidavit dated 26.04.2023, particularly in paragraphs 3 – 5, filed in support of the miscellaneous petition, are extracted below:-

"3. I submit that Mr.R.Manohar Gupta was the Managing Trustee of the petitioner's Trust and he was looking after the affairs of the petitioner's Trust and he died on 21.09.2020 due to the after effects of covid 19. Before that the order Trustees of the petitioner's Trust, who are all active players in the day to day affairs of the trust viz., Mr.R.M.Krishnan had also died on 22.08.2013 and another Trustee, Mr.R.Subramanyam, died on 08.08.2017. Thus, the elder members of the family of the founder of the petitioner's Trust were no more. Only the members of the family of the founder of the petitioner's Trust had to be trustees and out of them the Managing Trustee has to be selected.

4) I submit that the younger members of the family had no first-hand knowledge of the petitioner's Trust and they had to gather the details of the Trust and relevant documents, minutes book and other property documents etc., and after several meeting and conclusions arrived between them at the registered office at Madipakkam, the trustees of the petitioner's Trust, Mr.Revoor Sudhakar, Mr.Revoor Kesava Kumar, Mr.Revoor Suresh and Revoor Navin held a Meeting on 08.11.2020 and passed the resolution for appointment of new Managing Trustee, Mr.R.Kesava Kumar at the registered office at Madipakkam and the same was accepted by all the trustees.



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ssm

5) I submit that the notice sent by this Hon'ble Court to the earlier address of the petitioner's Trust at that time of final hearing of the writ petition was not brought to the knowledge of the present Managing Trustees or the Trustees. The notice seems to have been served at Revoor Padmanabha Chetty's Matriculation Higher Secondary School at Kaladipet, being run in the address given in the writ petition. As there was no Managing Trustee during the period of March and April, 2021 when the notice has been sent, there was no body at that time to take care of the court proceedings."

2. For the above reasons, the delay of condoning 695 days in filing the petition to restore W.P.No.16469 of 2010 is ordered.

12.10.2023

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Note : Registry to number restoration petition, if it is otherwise in order.

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