



**A.No.2943 of 2022
in
C.S.No.567 of 1949**

P.T.ASHA, J.,

The application that has now been filed to declare the applicant as a Managing Trustee of Oletti Guruvajamma Charities Trust is no proper remedy available to the applicant since the applicant seeks to be impleaded on the ground that in the earlier order of this Court in A.No.5902 of 2022 in C.S.No.567 of 1949, this Court had passed the order allowing the application on the ground that there is no member of the Oletti family available to be substituted as a trustee in terms of Clause 4(a) of the Trust Deed. It is their case that this statement is totally incorrect, in the light of the fact that besides the applicant and the 5th respondent in A.No.5902 of 2016, the applicant has another daughter by name A.B.Pushpalatha, younger to the 5th respondent who have not been parties to the proceedings. Therefore, he prays to re-consider the order of this Court and appoint the applicant as Managing Trustee.



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P.T.ASHA.J

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2. The application before this Court is one for appointing the applicant as a Managing Trustee without setting aside / reviewing the earlier order of this Court.

3.The learned counsel for the applicant seeks permission to withdraw this application with the liberty to file appropriate proceedings.

4.Considering the request made by the learned counsel for the applicant, the application is permitted to be withdrawn giving liberty to the applicant to move such appropriate application.

06.10.2023

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