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C.R.P.No.3197 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01/09/2023

CORAM:

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

Civil Revision Petition.No.3197 of 2023

A.Satyadevi

... Petitioner

Versus

S.Ramalakshmi

...Respondent

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India seeking to direct the learned Principal District Judge, Chengalpettu to dispose of the Trust O.P.No.274 of 2012 within a stipulated time.

For Petitioner : Mr.Rahul.Jagannathan

ORDER

This Civil Revision Petition is filed seeking for a direction to the trial Court to dispose of Trust.O.P.No.274 of 2012 on the file of the learned Principal District Judge, Chengalpettu, within a stipulated time.

2. The respondent had filed a Trust.O.P.No.274 of 2012 under Section 34 of the Indian Trust Act, 1882 (Act 2 of 1882) on the file of Principal District Judge, Chengalpattu for the following reliefs :



“(a) To declare the respondent as unfit trustee of the “LAKSHMI GOVINDARAJAN CHARITABLE TRUST”.

(b) To remove the respondent from the trusteeship of the “LAKSHMI GOVINDARAJAN CHARITABLE TRUST” in view of her unlawful activities from the date of death Lakshmi, the Author of the Trustee and not performing the regular meetings and the running of the Trust from 06.04.2012 and direct her to hand over all the belongings of the trust to the petitioner along with the key of the premises.

(c) To appoint new trustees by inviting the applications through this Honourable Court through Tamil daily

(d) Permit the Petitioner to run the “LAKSHMI GOVINDARAJAN CHARITABLE TRUST” as before, peacefully without any hindrance by the respondent or her men etc.,”

Since there is no substantial progress in the above said Trust Original Position, the revision petitioner is before this Court by way of this Civil Revision Petition.

3. Heard the learned counsel for the petitioner and perused the material available on record and there is no representation on behalf of the respondent.

4. On a perusal of the record filed along with this revision petition



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would reveals that the Trust Original Petition is of the year 2012 and from 19.12.2012 onwards, the matter has been adjourned from time to time. Since there is no substantial progress in this case from the year 2012, this Court is inclined to issue a direction to the Court below to dispose of the Trust Original Petition within a period of one year from the date of receipt of copy of this order.

5. Considering the facts and circumstances of the case, this Court is inclined to pass the following Order:

“The Trial Court is directed to expedite the hearing and to dispose of Trust O.P.No.274 of 2012 within a period of One year from the date of receipt of a copy of this order.”

6. With the above direction, this Civil Revision Petition is disposed of. No costs.

01.09.2023

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Index: Yes/No

Speaking Order: Yes/No



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V. BHAVANI SUBBAROYAN, J.

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To

1. The Principal District Court,
Chengalpettu.

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