



Reserved on: 16.04.2024

Pronounced on: 07.06.2024

A. No.402 of 2024
in
A.No.5189 of 2023
in
C.S. No.721 of 1923

P.B.BALAJI, J.

This Application has been filed seeking impleadment of the Applicant as a party respondent and to permit the Applicant to file detailed objections to grant of permission for sale of the Trust properties, as prayed for in A.No.5189 of 2023.

2. The case of the Applicant is that he is a third party to the proceedings, but however, one of the beneficiaries from the Trust charities and therefore, in order to protect the welfare of the Trust, he has come forward with the Application. His specific allegation is that the sale price quoted for sale of the Trust property is very low and is not a fair market price. The Applicant also states that the market value is atleast 3 to 4 times more than what is projected in A.No.5189 of 2023. In such circumstances,



the Applicant wants to implead himself in order to object to the sale of the Trust properties.

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3. A counter affidavit filed by the Managing Trustee of the respondent Trust stating that the Applicant is neither a proper nor necessary party to the said Application in A.No.5189 of 2023. According to the respondent, the Applicant is court bird dabbling in Real Estate and such a person cannot seek impleadment and object to the sale of Trust properties which is going to be in accordance with the Scheme Decree which is already in place.

4. I have heard Mr.P.L.Narayan, learned Senior Counsel for Mr.M.Sudhan, learned counsel for the Applicant and Mr.R.Thiagarajan, learned counsel for the respondent.

5. The Applicant admits that he is a third party and has no personal interest in the Trust. Though the Applicant claims that he is a beneficiary from the Trust activities, there is nothing brought on record to establish such a self serving plea. In any event, A.No.5189 of 2023 is being dealt



with separately in accordance with law and in line with the Scheme Decree already passed by this Court. The Applicant is a total stranger to the Trust property and thus he is neither a proper nor necessary party to the Application in A. No.5189 of 2023. A. No.5189 of 2023, can be effectively disposed of even in the absence of the Applicant. Therefore, I do not find any reasons whatsoever justifying impleadment of the Applicant in A.No.5189 of 2023. Accordingly, this Application is dismissed.

07.06.2024

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P.B.BALAJI, J,

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Pre-delivery ORDER in
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in
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