



C.R.P.No.3801 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2024

CORAM

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

C.R.P.No.3801 of 2024

S.Chandrasekar (ERS.Chandiru)
Member - Rasipuram Nadu Vizhiyan
Kula Kongu Nattu Vellalar Arakkatalai)

... Petitioner

-Vs-

1.K.S.Kandasamy
2.M.Ganesan
3.K.Prakasam

... Respondents

Prayer : Civil Revision Petition under Article 227 of the Constitution of India to direct the learned Principal District Court, Namakkal to number the Trust Original Petition in SR.No.521/2024 and dispose the same in accordance with law by appreciating the above said facts and circumstances.

For Petitioner : Mr.A.Thiyagarajan

ORDER

The Trust seems to be a Public Trust. When such is the nature of the Trust, an Act, which has been enacted for the purpose of administration of a Private Trust, cannot be pressed into service for a Public Trust. The remedy of the plaintiff is under Section 92 of the Civil Procedure Code. Under Section 92, the Court has the power to frame a Scheme and also for appointment of a new Trustee under Section 92(1)(b) of the CPC.



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V. LAKSHMINARAYANAN, J.

KST

2. Giving liberty to the petitioner to approach the Subordinate Court or the District Court, as the case may be, under Section 92 of the Civil Procedure Code, this Civil Revision Petition stands dismissed. No costs.

25.09.2024

Index : Yes/No

Neutral Citation : Yes/No

KST

To

Principal District Judge
Namakkal.

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