



C.S.No.538 of 2007

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2025

CORAM

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

C.S.No.538 of 2007

1.P.Jayalakshmi
2.S.Saiprabha
3. Sai Lakshmi Ramji.

... Plaintiffs

Vs.

1.Pasumarthy Cunniah Chetty's Trust
Rep. by Smt.Reddy Govindamma

2. Chinna Reddy Govindamma. Alias Vijayalakshmi
3.Subbu Reddy Govindamma alias Anuradha
4. Reddy Govindamma
5. Reddy Subbu Govindamma alias Sri Lakshmi
6. P.V.S. Kishore Kumar
7. S. Srisathyanarayana
8. P.V. Seetharam Gupta
9. T. Subramania Chetty
10. S. Venkata Sai Krishna
11. P.K.S. Prashath alias P.Saiprasad
12. P.J.K. Sairam alias P. Sairam
13. Mrs. Reka Devi
14. Mrs. Indira Varma
15. Phool Chand
16. Muvana Bai

... Defendants

PRAYER: Complaint filed under Section 92 r.w. Order VII Rule 1 of C.P.C. and Order IV Rule 1 of O.S. Rules for the following reliefs:

a) removing the 4th, 6th and 7th defendants from the Office of President and Trustees respectively of the 1st defendant Trust;



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(b) prohibiting the defendants 2 to 10 or anybody claiming through them from associating with the administration of the Trust;

(c) enquiring into the affairs of the trust as to its activities, income, expenditure and outgoings from 1965 onwards and to issue directions to recover the loss if any, from defendants 2 to 10 and 13 to 16 jointly and severally;

(d) declaring that the sale of property described in Schedule-C hereunder to the defendants 13 to 16 is void and not binding on the first defendant Trust and consequentially directing the 8th and 13th to 16th defendants jointly and severally to restore the property described in Schedule-D to the 1 defendant trust;

(e) declaring the 11th and 12th defendants being the surviving direct male lineal descendant of the founder are entitled to hold the office of the President in the 1st defendant Trust for their respective life;

(f) framing a Scheme for the management of the Trust and its properties set out in the Schedules A and C hereunder by constituting an Electoral College for electing and appointing other two trustees to the 1st defendant Trust;

(g) appointing an administrator to take charge of the Trust properties pending framing a Scheme for the management of the Trust and its properties as set out in the Schedule A and C hereunder,

(h) granting such further or other reliefs as may be in the nature of this cause may require to sub-serve the objects of the 1st defendant Trust.

For Plaintiffs : Mr. N. Krishna Kumar
for P2 and P3



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For Defendants : Mr. L. Rajesh
for D3 to D5, D7, D8 and D10

JUDGMENT

The matter is listed under the caption "for Dismissal" today. The learned counsel for the plaintiffs once again seeks for an adjournment. Earlier also, the matter was listed under the caption "for Dismissal". Only on a request made by the junior counsel appearing for the counsel on record for the plaintiffs, on the last hearing date, the matter was adjourned for hearing today. However, this Court directed the Registry to list the matter once again under the caption "for Dismissal".

2. The learned junior counsel appearing for the counsel on record for the plaintiffs, once again seeks for an adjournment. The suit is of the year 2007. It can now be inferred that the plaintiffs are not interested in prosecuting the suit. Accordingly, this suit is dismissed for non prosecution. No Costs.

03.01.2025

Index : Yes/No
Speaking Order : Yes / No
Neutral Citation Case: Yes / No
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ABDUL QUDDHOSE. J.,

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