



CS.No.717 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED:27.03.2025

CORAM

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

C.S. No.717 of 2016

1.P.Sankaranarayanan

2.K.Palani

...Plaintiffs

vs.

1.Sir.M.Ct.Muthaiya Chettiar

Higher Secondary School Trust,

Rep by its Managing Trustee,

No.23, Raja Annamalai Road,

Purasawalkam,

Chennai 600 084.

2. Tarun Ghai (Correspondent)

3. Arthi Meenakshi Muthiah (President)

Sir.M.Ct.Muthaiya Chettiar

Higher Secondary School Trust Board

No.23, Raja Annamalai Road,

Purasawalkam,

Chennai 600 084.

4.The Administrator General and Official Trustee

High Court of Madras Campus,

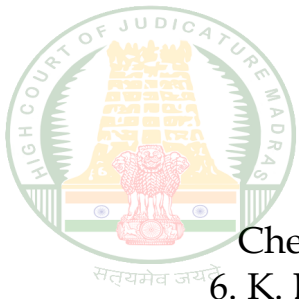
Chennai - 600 104.

5.The Secretary

Government of Tamil Nadu

Department of School Education,

Fort St.George,



CS.No.717 of 2016

Chennai 600 009.

6. K. Dharmaraj

7. P.Nagaraj

8. T. Ramamoorthi

9. A. Saraswathi

(The defendants 6 to 9 are impleaded as per order passed in
A.No.1313/2022 dt 26.04.2022) ...Defendants

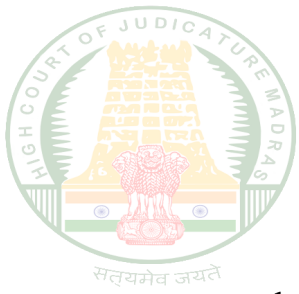
Prayer: Civil Suit filed under Order IV Rule 1 of O.S. Rules read with Section 92 of Civil Procedure Code praying for a judgment and decree

a) to remove the existing Trustees for their mal-administration, misfeasance, dereliction of their obligation towards the Trust and acting against the interest of the Sir M.Ct.Muthaiya Chettiar Higher Secondary School Trust to take over the same to administer either through the 4th defendant or by appointing administrator as it deem fit and proper in accordance to the objects of the trust.

(b) to frame a scheme by excluding the existing trustees of vested personal interested to appoint and regulate the administration by and through appropriate regulations and suggestions to be formulated by this court to envisage the continuation of the Sir.M.Ct.Muthaiya Chettiar Trust with its objects and purpose forever

(c) to assess the actual loss caused by the defendants and siphoning of trust assets and amounts to recover the same to benefit of the trust.

(d) to issue the mandatory injunction to direct and remove the extraneous and business activities of the defendants from the premises of the Trust properties and institution premises



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(e) to appoint the necessary teachers staffs and other required employees to facilitate the functions of the institutions belongs to the Trust to achieve its glory to original position and

(f) direct the defendants to pay to the plaintiffs the costs of the suit.

For Plaintiffs : No appearance

For Defendants : M/s.Abitha Banu for D1 to D3

Mr.V.Ramesh for D5

J U D G E M E N T

Earlier, when the Suit was posted on 26.03.2025 for hearing, there was no representation for the plaintiffs. Hence, the Registry was directed to print the name of the plaintiffs in the cause-list and post this matter today under the caption, 'for dismissal' and accordingly, it is listed today.

2. Even today, inspite of the name of the plaintiffs being printed in the cause-list, the plaintiffs have not chosen to appear before this court. Hence, this Suit is dismissed for non-prosecution. No costs.

Gv

27.03.2025



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A.A.NAKKIRAN,J.

gv

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