



C.M.P. No.25605 of 2023
in O.S.A. No.161 of 2023

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**M.SUNDAR,J.,
and
HEMANT CHANDANGOUDAR, J.,**

(Order of the Court was made by M.SUNDAR, J.)

A intra-court appeal being O.S.A. No.161 of 2013 came to be disposed of by a Hon'ble Division Bench in and vide a detailed order dated 08.09.2017 and this order arises out of a Section 92 scheme suit being C.S.No.993 of 2001 wherein a Hon'ble Single Judge rendered judgment and decree dated 30.01.2013 which was assailed in the intra Court appeal under Clause 15 of Letters Patent.

2. In the aforesaid circumstances, advertng to paragraph 89 of 08.09.2017 order, Mr.A.K.Sriram, learned senior counsel appearing on behalf of Mr.K.Sathiyavel, learned counsel on record for CMP petitioner submitted that petitioner Trust/Board in the captioned 'Civil Miscellaneous Petition' (hereinafter 'CMP' for the sake of brevity) came into existence because of 'Tamil Nadu Vanniyakula Kshatriya Public Charitable Trusts and Endowments (Protection and Maintenance) Act, 2018 (Act No.44 of 2018)' (hereinafter 'said Act' for the sake of convenience and clarity) and it is in these circumstances, a rather strange prayer to permit the



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applicant/petitioner to implead itself as R29 in the OSA and contest the OSA order has been made. Nonetheless, W.P.No.9905 of 2020 filed by Mr.P.Elumalai, first appellant in the OSA with a prayer to mandamus Principal Secretary of the petitioner Trust/Board to take control of the Interim Management Committee is before us and W.P.No.9905 of 2020 being heard out on merits would suffice as that would permit the petitioner Board/Trust to articulate the submission which it intends to make is learned senior counsel's further say. Owing to this, captioned CMP with aforereferred prayer (described supra as 'rather strange') becomes unnecessary is learned senior counsel's further say. In this regard, learned senior counsel (on instructions) very fairly submitted that the CMP petitioner will stand bound by the orders in W.P. No.9905 of 2020 (subject of course to further review/appeal by any of the parties).

3. Recording the stated position of the petitioner Trust/Board in the captioned CMP, the same is disposed of as closed. There shall be no order as to costs.

(M.S.J.) (H.C.J.)
21.07.2025

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