

IN THE COURT OF THE SUBORDINATE JUDGE, KULITHALAI.  
PRESENT:- Thiru.M.SHUNMUGA KANI, B.A., L.L.B.,  
Subordinate Judge, Kulithalai.

Tuesday, the 17<sup>th</sup> day of October 2023

**APPEAL SUIT NO. 13/2018**  
(CNR No.TNKR08-000618-2018)

Sri Guru Vidhya Peedam  
(Oriental Sanskrit School Trust),  
represent by its Trustee,  
Tmt. S.Dhanalakshmi

.....Appellant/Plaintiff

/Vs./

1) Sri Guru Vidhya Peedam  
(Oriental Sanskrit Schook Trust),  
rep. by its Managing Trustee,  
N.S.Rajagopalan

2) M/s.Sabtharish Research and Medical  
Foundation represented by its  
President and Managing Trustee  
Dr.S.S.Manikandhan (Died)

3) M/s. Sabtharish Research and Medical  
Foundation represented by its  
Secretary  
K. Sundarajan,  
Amended as per order in

I.A.No. 1/2023 Dated: 26.04.2023.

.....Respondents/Defendants

Appeal has arisen against the decree and Judgment passed in OS No.249/2006  
dated 02.01.2018 on the file of the District Munsif Court, Kulithalai

Between:

Sri Guru Vidhya Peedam  
(Oriental Sanskrit Schook Trust)  
rep. by its Trustee  
Tmt. S. Dhanalakshmi

.....Plaintiff

/Vs./

1) Sri Guru Vidhya Peedam  
(Oriental Sanskrit School Trust)  
rep. by its Managing Trustee  
N.S.Rajagopalan

2) M/s. Sabtharishi Research and Medical  
Foundation rep. by its President and  
Managing Trustee Dr.S.S.Manikandhan

.....Defendant

This appeal coming on 17.10.2023 before me for hearing in the presence of Thiru.B.Malarkannan, Advocate for the Appellant/Plaintiff and Thiru.V.R.Balasubramanian, Advocate for the 3<sup>rd</sup> Respondent and 1<sup>st</sup> Respondent/Defendant called absent and set exparte and 2<sup>nd</sup> Respondent/Defendant died and the appeal is dismissed as not pressed and this Court delivered the following

### **JUDGMENT**

#### **NATURE OF CLAIM IN THE LOWER COURT:-**

To relief of declaration that the impugned Lease Deeds dated 16.06.2005 entered into between the first defendant and 2<sup>nd</sup> Defendant registered as Document No. 406/2005 and 407/2005 in the Office of the Sub Registrar, Nangavaram are ab-initio void, illegal, invalid in law, inoperative and unenforceable as they are opposed to the objects and aims of Sri Guru Vidhya Peedam(Oriental Sanskrit School Trust) Trust Deed Dated: 29.10.2059 and restraining the 2<sup>nd</sup> Defendant, its men, agents, servants, persons connected with him or claiming under him from interfering with the possession and enjoyment of the suit properties

#### **NATURE OF CLAIM IN THE APPEAL:-**

To set aside the Decree and Judgement passed by the District Munsif, Kulithalai in O.S.No. 249/2006 Dated: 02.01.2018 by allowing the appeal and Decree the Suit.

\* \* \* \* \*

Appeal posted for appellant side arguments. Sufficient opportunity already given appellant side not ready for arguments. Hence this appeal is dismissed for default.

Pronounced by me in open court, on this the 17<sup>th</sup> day of October 2023.

SUBORDINATE JUDGE,  
KULITHALAI.

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SUB COURT, KULITHALAI.

APPEAL SUIT No. 13/2018.

DATED :- 17.10.2023.

DRAFT / FAIR JUDGMENT

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