



C.S.No.538 of 2007

C.V.KARTHIKEYAN, J.

The first plaintiff had died. But, her two daughters are the plaintiffs 2 and 3 and her two sons have also been impleaded as the defendants 11 and 12.

2. The learned senior counsel for the plaintiffs may file a memo giving the date of the death of the first plaintiff. The suit has been filed under Section 92 of CPC. The defendants had filed their written statement. Thereafter, they had taken a conscious decision not to appear before the Court. Hence, they have been set *exparte*.

3. The learned senior counsel for the plaintiffs pointed out that the first defendant Trust is the owner of substantial properties and substantial amount of rents have been collected to the prejudice and loss of the plaintiffs. It is also contended that the defendants 11 and 12 were inducted as trustees, but later removed. In order to ensure that the rents are not secreted away by any of the defendants and that total rent is brought forth into a common pool and thereafter, utilised for the objects of the Trust, it would only be appropriate that the tenants are informed about the nature of the suit filed which is to form a scheme for the management and administration of the first defendant Trust and also to utilise the income from the Trust in which the tenants are in occupation for the objects of the Trust.



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4. The learned senior counsel for the plaintiffs may therefore instruct the counsel on record to issue notice to the each one of the 13 tenants whose names are listed out in Schedule 'B' of the plaint informing them that the suit would be again listed on 29.07.2025 and they would necessarily have to abide by the nature of the order passed by the Court relating to their tenancy and also to the payment of rent as stipulated in the order of this Court. Let the notice be issued for the hearing date 29.07.2025. On that date, the memo regarding the death of the first plaintiff may also be presented before this Court.

5. List the matter on 29.07.2025.

14.07.2025

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