



A.No.3861 of 2024 in A.No.5902 of 2016
in
C.S. No. 567 of 1949

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2025

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THE HONOURABLE Dr. JUSTICE R.N.MANJULA

A.No.3861 of 2024 in A.No.5902 of 2016
in C.S. No. 567 of 1949

1.Oleti Sakunthala
2.Pushpalatha AB

...Applicants

Vs.

1.C.A.Ganesan

Oleti Sriramulu Chetty (deceased)
Oleti Radiah Chetty (deceased)
Chandruluru Cunniah Chetty (deceased)
C.Anjaneyalu Chetty (deceased)

2.Suryakumari

...Respondents/ 3rd parties

Prayer : This application has been filed under Order XIV Rule 8 of the Original Side Rules read with Section 151 of Code of Civil Procedure, praying to set aside the order dated 27.11.2020 passed in Application No. 5902 of 2016.

For applicants : Mr.D.Madanchand Chopda

For Respondents : Ms.G.Sumitra
(undertake to file vakalat for R1)



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2. It is fairly conceded by the learned counsel for the applicants that the 1st applicant, viz., Oletti Sakunthala, is the wife of the deceased Munirathinam and the 2nd applicant, viz., Pushpalatha AB, is the daughter of the deceased Munirathinam. It is further claimed that the applicants have not furnished any accounts of the Oleti Guruvajamma Charities Trust despite the 1st respondent tried to contact them by issuing notice on several occasions. For the reasons best known to the 1st respondent, he had not chosen to implead the applicants also as parties to A. No. 5902 of 2016



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though it is well within his knowledge that apart from the said Suryakumari, applicants are the legal heirs of the deceased Munirathinam. The deceased Munirathnam has been running the administration of the Trust and he is not doing any family business along with the applicants in order to entitle the 1st respondent to call for any accounts from the applicants. In fact, the applicants have not yet exercised their right to inherit the Trusteeship of Oleti family. It cannot be fair on the part of the 1st respondent to call for any accounts from the applicants, who have not so far entered into the administration of the Trust in their capacity as Trustees or otherwise.

3. So, now the only concern that can be considered reasonably is the claim of the 1st respondent's that he also has the right of Trusteeship as per the scheme decree in his capacity as one of the legal heirs of the other family, viz., Chandaluru family.

4. Now, it is learnt that another Trusteeship is now lying vacant in the Trust. Therefore, the parties are at liberty to have consultation out of Court



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and arrive at a settlement between themselves with regard to the filling up of vacancy as per the annulled terms of the scheme decree.

5. In such case, it will enable this Court to pass further orders depending upon the understanding arrived between the parties.

6. Let the matter be listed on 18.09.2025.

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Dr.R.N.MANJULA, J.

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