

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).2613/2007
(From the judgement and order dated 19/12/2006 in OSA No. 130/2001 of The
HIGH COURT OF MADRAS)

M.RAJENDRAN

Petitioner(s)

VERSUS

V.RAJASEKARAN & ANR.
(With prayer for interim relief)

Respondent(s)

Date: 09/07/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA
HON'BLE MR. JUSTICE H.S. BEDI

For Petitioner(s) Mr. R.Sundravardan, Sr.Adv.
 Mr.Ramesh N. Keshwani, Adv.
 Mr. Ramlal Roy, Adv. for
 M/S Keswani & Co.

For Respondent(s)

UPON hearing counsel the Court made the following
ORDER

Having regard to the facts and circumstances of this case, we are not inclined to interfere with the impugned judgment of the High Court. Mr. R. Sundravardan, learned senior counsel brought to our notice a decision of this Court in Sudhir G.Angur and Ors. Vs. M.Sanjeev and Ors. - (2006) 1 SCC 141 contending that the trust is a necessary party. We accept the proposition laid down in the aforementioned decision but in our opinion the respondent herein may implead the trust as a party at the time of institution of the suit. The special leave petition is dismissed with the aforementioned observations.

[Meenu Sethi]
Court Master

[Pushap Lata Bhardwaj]
Court Master