

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 9152-9154 OF 2013

USILAMPATTI NATTATHI NADARGAL APPELLANT
URAVINMURAIKKU PATHIYAMANA NADAR
SARASWATHY HIGHER SECONDARY SCHOOL AND
PRIMARY SCHOOL PARIBALANA SABAI
USILAMPATTY (REGISTRATION NO.35/61)

VERSUS

PRINCIPAL SECRETARY - SCHOOL EDUCATION RESPONDENTS
CHENNAI & OTHERS ETC.

O R D E R

The dispute in the present matter relates to the management and control of Usilampatti Nattathi Nadargal Uravinmuraikku Pathiyamana Nadar Saraswathy Higher Secondary School and Primary School Paribalana Sabai, Usilampatty, bearing Registration No.35/1961, having its registered office at T. B. Road, at Usilampatty, Tamil Nadu - 625 532 ('the Society'). The impugned judgment passed by the Division Bench of the Madurai Bench of the Madras High Court dated 30.04.2013 was partially stayed by this Court *vide* interim order dated 10.05.2013. In view of the interim stay, the directions given in the impugned judgment that the government shall initiate action under Section 34-A of the Tamil Nadu Societies Registration Act, 1975, has been stayed. The said order has continued to remain in force.

It is pointed out that some of the members of the Society have filed Civil Suit O.S. No. 16/2015, titled "*P.C. Rajendran and Others vs. Usilampatty Nattathi Nadar Uravinmuraikku Pathiyamana Nadar Saraswathy Higher Secondary School and Primary School*

Paribalana Sabai Usilampatty (Registration No.35/61) and Others", before the Court of the Subordinate Judge, Periyakulam, in which suit, evidence has been recorded and the matter is listed for final arguments and disposal.

During the course of hearing, the learned counsel for the parties have agreed that the present appeal may be disposed of with a direction that the interim order passed by this Court would remain in operation till the decision of the aforesaid suit. It will be open to the parties to move an application for interim relief in the appeal or appropriate judicial proceedings, which application, if filed, would be decided in accordance with law. We also grant liberty to the parties to move an appropriate application before this Court, in case there is any difficulty in implementation of the order.

We clarify that we have not expressed any opinion on the merits of the case.

We request the trial court to dispose of the suit bearing O.S. No. 16/2015 as soon as possible and preferably within a period of three months from today.

Recording the aforesaid, the appeals are disposed of.

Pending applications, if any, shall stand disposed of.

.....J.
(SANJIV KHANNA)

.....J.
(M.M. SUNDRESH)

NEW DELHI;
FEBRUARY 01, 2023.
PS

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CIVIL APPEAL NO(S). 9152-9154/2013

USILAMPATTI NATTATHI NADARGAL URAVINMU. & ANR. APPELLANT(S)

VERSUS

PRINCIPAL SECRETARY - SCHOOL EDUCATION
CHENNAI & OTHERS ETC. RESPONDENT(S)

(IA No. 45351/2017 - EXEMPTION FROM FILING O.T., IA No. 1315/2017 -
VACATING STAY)

Date : 01-02-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Appellant(s)

Mr. R.viduthalai, Sr. Adv.
Mr. Jayachandran, Adv.
Mr. K.v.jagdishvaran, Adv.
Mr. Harnaman Singh, Adv.
Mr. Gandeepan, Adv.
Mr. Ashwini Kumar, Adv.
Ms. G. Indira, AOR

For Respondent(s)

Mr. D.kumanan, AOR
Ms. Deepa S., Adv.
Mr. Sheikh F. Kalia, Adv.
Ms. Divya Singh, Adv.
Mr. Gautam Narayan, AOR

Mr. V.giri, Sr. Adv.
Mr. Aravindh S., AOR
Mrs. Uma Bhuvaneshwari, Adv.
Mr. Abbas.b, Adv.

Mr. Sabarish Subramanian, AOR
Mr. Vishnu Unnikrishnan, Adv.

Mr. Suvidutt M.s., AOR

**UPON hearing the counsel, the Court made the following
O R D E R**

The appeals are disposed of in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

**(POOJA SHARMA)
COURT MASTER (SH)**

**(R.S. NARAYANAN)
COURT MASTER (NSH)**

(Singed order is placed on the file)