

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL Nos.5535-5536 OF 2001

SRI. KUNJAPPA SHETTY & ORS.

... APPELLANTS

Versus

SRI VASUDEVA SHIBARAYA & ORS.

... RESPONDENTS

O R D E R

These appeals are directed against the common final judgment and order dated 15.09.1999 passed by the High Court of Karnataka at Bangalore in Writ Appeal Nos. 3259 and 2226 of 1998 whereby the High Court, while allowing the writ of the respondents, dismissed the writ of the appellants and quashed the earlier order of the Single Judge in W.P. 33218/95 directing the Deputy Commissioner to conduct enquiry under Section 39 of the Madras Hindu Religious and Charitable Endowments Act, 1951.

On 01.05.2019, when these matters were taken up for hearing, learned counsel for the parties were agreed that Hon'ble Mr. Justice R.V. Raveendran, a retired Judge of this Court, be appointed as Mediator to mediate this matter.

Pursuant to the said order, mediation meetings were held on 01.06.2019 and 07.06.2019 and the matter was negotiated in detail. However, the parties were not able to arrive at a settlement.

Heard learned counsel for the parties and carefully perused the record.

An affidavit has been filed on behalf of respondent No.1,

stating therein that respondent No.1, being concerned about the proper management of the affairs of the temple, agreed for a solution as proposed by the learned Mediator as it would be just, fair and in the interest of all parties for better administration and management of the temple without entangling in litigations.

However, it is stated in the said affidavit that the appellants declined to accept the proposal and demanded a permanent trustee from Shibaroor Guthu family and additionally three trustees representing the villages.

During the course of hearing, learned counsel for the parties are agreed that the administration and management of the temple will be conducted through a compromise. Learned counsel for the parties submit that in this regard a compromise will be entered into between the parties, and a copy of the same will be placed before this Court.

Recording the above, we close the matter. The appeals stand disposed of accordingly.

.....J.
(N.V.RAMANA)

.....J.
(MOHAN M. SHANTANAGUDAR)

NEW DELHI;
FEBRUARY 12, 2020.

ITEM NO.2

COURT NO.2

SECTION IV-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s).5535-5536/2001

SRI. KUNJAPPA SHETTY & ORS.

Appellant(s)

VERSUS

SRI VASUDEVA SHIBARAYA & ORS.

Respondent(s)

(MEDIATION REPORT HAS BEEN RECEIVED [TO BE TAKEN UP BY HON. N.V. RAMANA AND HON. MOHAN M. SHANTANAGOUDAR, JJ. AT THE END OF THE BOARD]

IA No.164219/2018 - ADDITION/DELETION/MODIFICATION PARTIES

IA No.164221/2018 - EXEMPTION FROM FILING O.T.

IA No.164217/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 12-02-2020 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N.V. RAMANA

HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR

For Appellant(s)

Mr. Mohan Parasaran, Sr.Adv.

Mr. Satya Mitra, AOR

Mr. Ashwin Kumar D.S., Adv.

Mr. E. C. Agrawala, AOR

For Respondent(s)

Mr. P.N. Ravindran, Sr.Adv.

Mr. T. G. Narayanan Nair, AOR

Mr. Amit Sharma, Adv.

Mr. Shubhranshu Padhi, AOR

Mr. Ashish Yadav, Adv.

Mr. Rakshit Jain, Adv.

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

The application for deleting the names of appellant Nos.1, 4 and 5 is allowed at the risk and responsibility of the appellants.

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

.....2/-

As a sequel to the above, pending interlocutory applications also stand disposed of.

(SATISH KUMAR YADAV)
DEPUTY REGISTRAR

(RAJ RANI NEGI)
DEPUTY REGISTRAR

(Signed order is placed on the file)