

(1897) 12 MAD CK 0007
In the Madras High Court

Krishnayyar

APPELLANT

Vs

Soundararaja Ayyangar

RESPONDENT

Date of Decision : 15-12-1897

Acts Referred:

Citation : (1898) ILR (Mad) 245

Hon'ble Judges : Subramania Ayyar, J;Benson, J

Bench : Division Bench

Judgement

1. A person like the defendant in the present case holding the office of manager of a temple, though he possesses no hereditary right and is subject

to the superintendence of a committee appointed under Act XX of 1863, has been held to be a trustee Sethu v. Subramanya ILR 11 Mad. 274 .

A claim against such a person for damages said to have been caused by his neglect in the discharge of his duties as manager must, therefore, be

held to be a suit relating to a trust falling under Article 19 of the Provincial Small Cause Courts" Act.

2. The answer to the question submitted is that the suit is not cognizable by a Small Cause Court.