

(1900) 12 MAD CK 0001
In the Madras High Court

Narayanasamy and Others

APPELLANT

Vs

Jambu Aiyan

RESPONDENT

Date of Decision : 20-12-1900

Acts Referred:

Citation : (1901) 11 MLJ 130

Judgement

1. The only question raised is whether the members of the chit fund in this case constitute an illegal association as not being registered, or whether

the defendants are alone the proprietors of the chit fund, as in *Manchu Nayar v. Padmanabhan Nayar* ILR 20 M.k 68.

2. In that case two persons started a kuri describing themselves in the programme which they drew up for that purpose as the proprietors. The

programme contained the proposed arrangements of the proprietors and their proposed method of carrying it on and the subscribers signed it in

token of their assent and as evidence that they thereby became subscribers. That case is totally different from the present case where the whole

body of subscribers join in an agreement to start a chit fund and are all equally interested in it and retain power in themselves to control the acts of

their appointed office-holders.

3. We think the acting Subordinate Judge was wrong, and we allow the petitions and dismiss the plaintiff's suit with costs throughout.