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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-01-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

C.S. No. 221 of 2025

1. M/s. Bhagwan Shree Parashuram
   Charitable Trust
   Rep.by its Managing Trustee,
   Mr.Banwarlal Sharma,
   Having Address at No.13, Ponnappan Lane,
   Chennai-600003

2. Mr.Banwarlal Sharma
   Managing Trustee,
   Bhagwan Shree Parashuram Charitable Trust,
   No.13, Ponnappan Lane,
   Chennai-600003

..Plaintiffs

Vs

Nil

..Defendant(s)

Prayer:

Civil Suit filed under Order IV Rule 1 of O.S.Rules and Order VII Rule 1 of CPC r/w Section 92(1) of CPC to pass a judgement and decree permitting the plaintiffs to sell the Trust Property, morefully described in the Schedule to and in favours of the intending purchaser.

For Plaintiff(s): Ms.B.Priyanka

JUDGMENT

The present suit has been filed by the plaintiffs to permit them to sell the suit property.

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2. The case of the plaintiffs is that the 1st plaintiff is the Trust and the 2nd plaintiff is Managing Trustee of the Trust. The object of the Trust is to purchase lands and buildings for the purpose of public dharmasala, bhavans schools, hospitals, clinics, laboratories, libraries, water booth, gausalas and also to render help to poor and needy children by means of scholarship, sponsorship, stipend, free books, prizes, medicines, cloths etc., and for other public purposes. The said objects of the Trust shall be independent of each other and the trustees shall from time to time apply the income and funds of the trust for carrying on the objects of the trust within the territory of Union of India.

3. The Trust Deed was registered on 20.11.2006 and the 1st plaintiff-Trust purchased the land at Jeeva Nagar, Door No.95, Korrukupet, Chennai comprised in S.No.803 in R.S.No.1846 of Tondiarpet Village. In order to develop the Trust, the trustees of the 1st plaintiff intends to sell the schedule mentioned property, which was purchased by the 1st plaintiff and thereby the Minutes of Meeting was held on 01.04.2024 and it was resolved to sell the said property. The 1st plaintiff has power to sell the property, as per Clause 6(8) of the Trust Deed dated 20.11.2006.

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4. There is no defendant in the suit. Already leave was granted by this Court vide order dated 28.08.2025 in A.No.4215 of 2025 to institute the present suit under Section 92(1) of CPC. Thereafter, the plaintiffs filed this suit seeking permission of the Court to sell the property for the benefit of the Trust. After filing this suit, this Court directed the plaintiffs to cause paper publication in Tamil daily newspaper and English daily news paper and they also effected paper publication and no objections have been filed. On the side of the plaintiffs, the Managing Trustee of the trust was examined as P.W.1 and marked Exhibits P.1 to P.4.

5. On a careful perusal of evidence of P.W.1 and Exhibits P.1 to P.4, they revealed that the property belongs to the Trust and the Trust vide Minutes of the Meeting held on 01.04.2024 decided to sell the property for the benefit of the Trust. Now, the plaintiffs intend to sell the property to fulfill the objects of the trust and the above said sale is for the benefit of the trust. The plaintiffs have produced Ex.P.4, viz., Guideline value of the trust property and as per the same, the guideline value of the trust property is Rs.1,600/- per square feet, therefore, the plaintiffs are permitted to sell the property not less than the guideline value.

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6. Accordingly, the permission is granted to the plaintiffs to sell the suit mentioned property on the following terms:-

(i) The plaintiffs are permitted to sell the suit mentioned property by way of Public Auction not less than the guideline value of Rs.1,600/- per square feet;

(ii) The plaintiff-trust is directed to call for the application effecting vide paper publication and sell the property through public auction;

(iii) The realisation amount shall be deposited in the account of the Trust and utilised only for the object of the Trust;

(iv) For safe custody, after completion of sale, the registered sale deed has to be deposited before this Court and the plaintiffs are at liberty to utilize the funds for object of the trust. If there is any balance amount after utilization of the object of the trust, the said remaining amount has to be deposited into any of the Nationalized Bank and the plaintiffs are permitted to withdraw the accrued interest once in three months. The memo and calculation are to be filed along with the registration of the sale deed.

With the above said directions, the present Civil Suit is decreed in favour of the plaintiffs.

21.01.2026

Index : Yes/No
Speaking Order : Yes/No
ssd

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APPENDIX:

List of Plaintiffs side Witness:

PW1 : Mr. Banwarlal Sharma

List of Plaintiffs side Documents:

Exhibit No.	Date	Description of Documents.
Ex.P.1.	17.10.2006	Photocopy of the registered deed of trust of the 1st plaintiff's Trust bearing Doc.No.532/2006
Ex.P.2	27.11.2006	Photocopy of the registered sale deed in favour of the Trust Doc.No.3447/2006
Ex.P.3	01.04.2024	Photocopy of the authorisation letter issued by the 1st plaintiff in favour of the 2nd plaintiff.
Ex.P.4.	-	Online printout guideline value of the Trust property.

21.01.2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

ssd

To
The Sub Assistant Registrar,
O.S.Section,
High Court, Madras

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P.DHANABAL, J.

ssd

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