



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.03.2015

CORAM:

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

C.R.P. (MD).No.666 of 2015 (NPD)

and

M.P. (MD).No.1 of 2015

WEB COPY

Indian Sports Promoters Trust, (INDSPOT)

Having Office at:-

D.No.4, R.M.Nagar,

Dindigul,

Through its Managing Trustees

1.A.P.Selvaraja

2.Manimaran

... Revision Petitioners

vs.

- Nil -

PRAYER: This Civil Revision Petition filed under Article 227 of the Constitution of India, to allow the civil revision petition and to set aside the fair and decreetal order dated 05.02.2015 made in Trust O.P.No.48 of 2014 on the file of the Principal District Court, Dindigul District, Dindigul.

For Petitioners : Mr.Arumugam

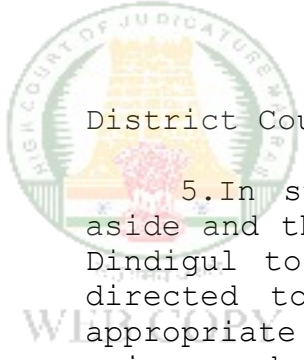
O R D E R

The revision petitioners are the trustees of Indian Sports Promoters Trust. The Trust O.P.No.48 of 2014 is filed by the trust for selling the property mentioned in the schedule for the welfare of the Trust.

2.According to the petitioners, these lands were acquired in the name of Trust and they are presently not capable of yielding any income. Besides, there is no appreciation of value of these properties. Therefore, the trustees thought it fit that the suit property may be sold and the sale proceeds may be usefully utilised for the Trust. Therefore, they have moved the Principal District Court, Dindigul for grant of permission to sell the lands. The said Trust O.P was dismissed by the Principal District Judge on the ground that there were no documents produced about the activities of the Trust and also there is no document to assess the value of the property sought to be sold.

3.When the property of a Trust is sought to be sold, the Trustees have to furnish the particulars of the value of the property by producing evidence to support the same. The Court being the custodian of the Trust, cannot allow the petition for sale for the sake of asking. Normally, any property of the Trust will be sold in a public auction with the sanction of the Court.

4.In such situation, unless the petitioners furnish the particulars regarding the value of the property or even if there are any prospective buyers the details of the purchaser etc., have to be furnished before the Court. Without such details, the bonafide of the Trust cannot be believe by the Court. As there was no document produced before the Principal



District Court, Dindigul, the Trust O.P was dismissed.

5.In such circumstances, the finding of the District Court is set aside and the Trust O.P is remanded back to the Principal District Court, Dindigul to try afresh and pass appropriate orders. The petitioners are directed to file necessary documents to enable the Court to pass an appropriate orders, by producing value of the property for fixing the price and accordingly the civil revision petition is allowed and remanded. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub- Assistant Registrar

To
The Principal District Court,
Dindigul.

+1cc to M/s.Ajmal Associates in SR.No.16296

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