

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

WEDNESDAY THE 31ST DAY OF AUGUST 2016

THE HON'BLE MR.JUSTICE M.JAICHANDREN

A.No.3505 of 2016

in

C.S.No.363 of 1912

In the matter of the Will of Nagai
Visalashi Ammal.

C.S.No.363 of 1912:

- 1.K.M.Kannuswami Pillay,
Merchant at Kottur, Mannargudi Taluk,
Tanjore District.
- 2.N.Kamala Pillai, Landlord residing at
Vellore, Thiruthuraipundi Taluk in the
Tanjore District.
- 3.C.Subbaraya Gurukkal, a priest residing
at No.4, Saiva Muthia Mudali Street,
George Town, Madras. :Plaintiffs

-vs-

- 1.Adipuram Pillai, Land Lord,
Residing at Tondiarpet, Madras.
- 2.Srinivas Pillay, Lately a land holder,
Residing at No.45, Yagatha Covil Street,
George Town, Madras but now deceased
- 3.V.Thiruvengadam Pillay, Lately a Cashier,
In the Merchantile Bank, and is now residing
at George Town, Madras.
- 4.T.Subbu Pillai, minor the adopted son of
Veeraperumal Pillay, Deceased, residing
With the 3rd defendant at his address aforesaid.

- 5.V.Ramalinga Pillai, the legal representative of the
deceased 2nd defendant, living at George Town,
Madras and

6.Nagalingam Pillay, the adopted son of
Gopalakrishnan Pillay,
Landed Proprietor residing at No.83,
Pedariar Kovil Street, George Town,
Madras.

:Defendants

A.No.3505 of 2016:

N.Thiyagarajan,
S/o.V.G.Nagalingam,
No.10/13-A, Sangam Street,
Venkatapuram,
Chennai 53.

..Applicant..

-vs-

The Official Trustee of Madras,
High Court Campus, Chennai 600 104.

..Respondent..

Application praying that this Hon'ble Court should not be
pleased to pass an order, directing the respondent/Official
Trustee to pay monthly family maintenance allowance from
Rs.17,000/- per month to Rs.60,000/- per month with effect
01.07.2016 onwards

This application coming on this day before this Court for
hearing the court made the following order:

This application has been filed, seeking a direction to the
Official Trustee to enhance and to pay the monthly family
maintenance allowance from Rs.17,000/-, per month, to
Rs.60,000/-, per month, with effect from 1.7.2016.

2. The applicant had stated that a scheme decree has been
framed for the management of the Trust properties. The decree
also provides for the payment of monthly family maintenance

allowance to the hereditary trustees and their descendants. The applicant had stated that, at present, he is paid a monthly maintenance of Rs.17,000/-. This amount had been fixed in the year, 2014. The applicant had further stated that there is an increase in the rental amount and there is hike in the prices of other consumable items. Therefore, the applicant has filed the present application, seeking enhancement of the monthly maintenance amount to Rs.60,000/-.

3. The Official Trustee had filed a report, dated 31.8.2016, wherein he had given the details of the charities being performed by the Trust, through the hereditary trustees. The Official Trustee had also given the details of enhancement of monthly maintenance granted on earlier occasions. He had stated that the applicant was a Government servant and is receiving pension. Further, the monthly maintenance had been enhanced only in the year, 2014. Therefore, the Official Trustee had stated that an amount of Rs.22,000/- would be a reasonable maintenance allowance.

4. Considering the submissions made by the learned counsel appearing on behalf of the applicant, as well as the Official Trustee, and on a perusal of the records, the Court finds it appropriate to enhance the monthly family maintenance allowance, from Rs.17,000/- to Rs.22,000/-. Accordingly, the monthly family maintenance allowance is enhanced, from Rs.17,000/- to

Rs.22,000/-, per month, from August, 2016 onwards. This application is ordered accordingly.

sd/ M.J.J

31.08.2016

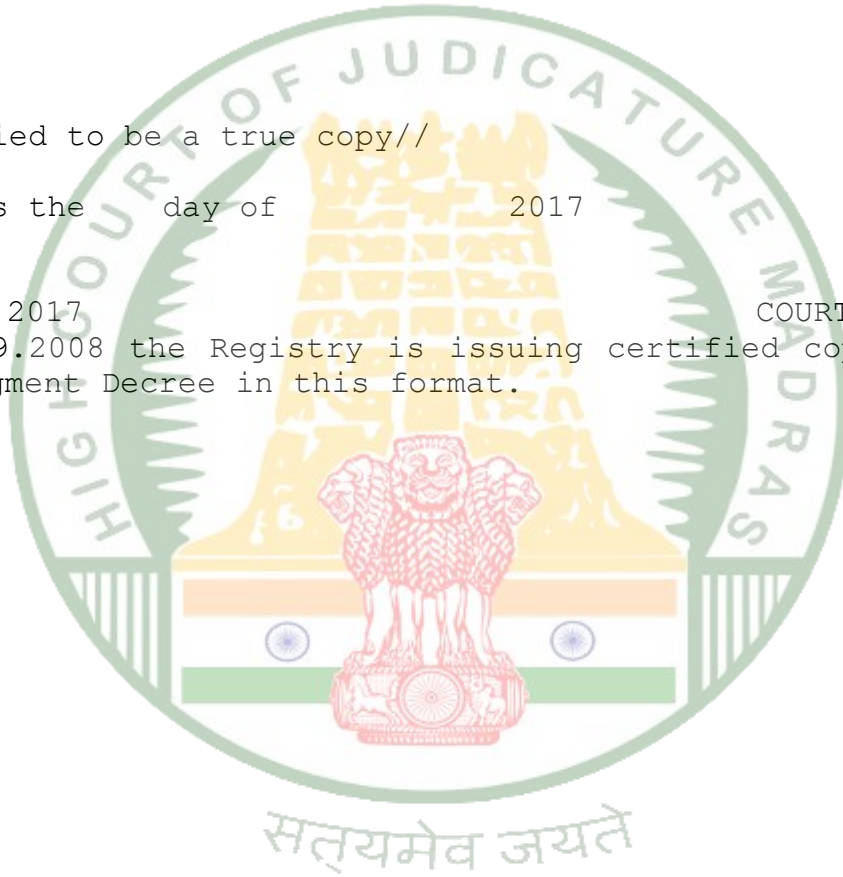
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Dated this the day of 2017

R.s/30.01.2017

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.



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