

Application No.8648 of 2019
in
C.S.No.314 of 1930

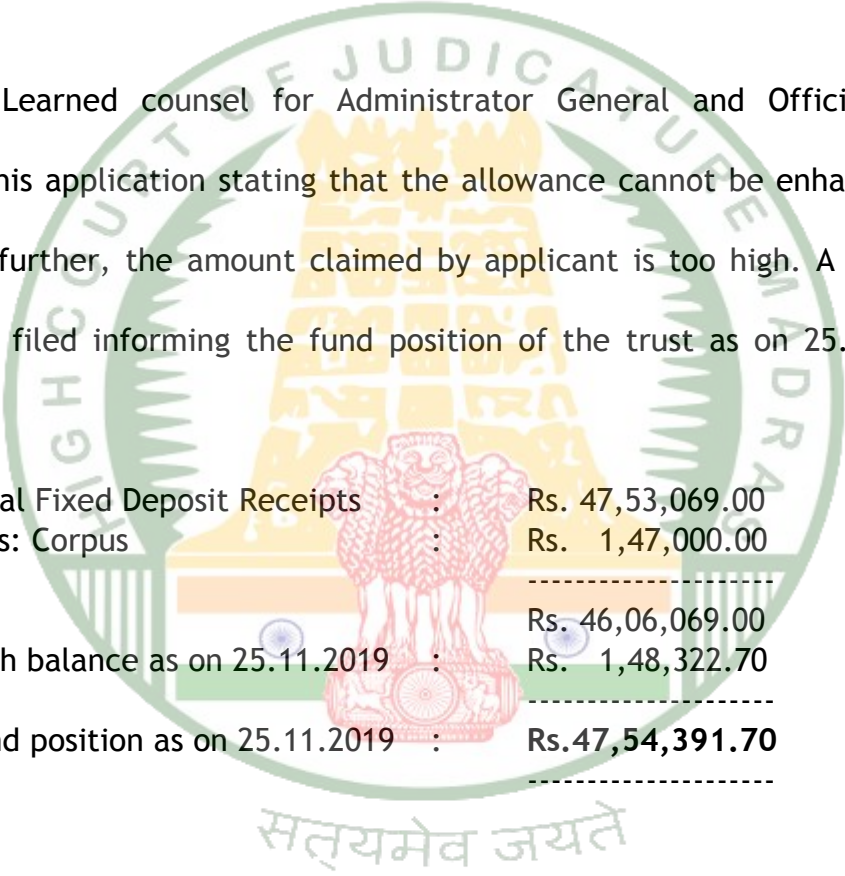
R.SUBBIAH, J

This application has been filed seeking enhancement of allowance for celebration of Rabi-Ul-Awal Milad-e-Nabi from Rs.10,000/- to Rs.57,400/- p.a.

2. Learned counsel for applicant submits that the applicant is one of the trustee of the Trust Estate of M.K.Periyathambi Maracayar and he was appointed through the proceedings of respondent. Presently, the applicant is appointed as turn trustee with effect from 01.04.2019 to 31.03.2020. Earlier, respondent has filed an application in Application No.155 of 2013 in C.S.No.314 of 1930 to enhance the amount from Rs.750/- p.a. to Rs.3,000/- p.a. for celebration of Rabi-Ul-Awal, from the Estate of M.K.Periyathambi Maracayar. Under order dated 11.01.2013, this Court was pleased to enhance the amount to Rs.3,000/- p.a. Thereafter, the applicant's mother filed an application in Application No.6651 of 2016 in C.S.No.314 of 1930 seeking enhancement of the amount from Rs.3,000/- to Rs.5,000/- p.a. Under order dated 25.01.2017, this Court was pleased to enhance the amount to Rs.5,000/- p.a. Likewise, in the year 2018, this Court has enhanced the amount to Rs.10,000/- p.a. Stating that

the cost of essential commodities have gone up, learned counsel prays this Court to enhance the allowance for celebration of Rabi-Ul-Awal Milad-e-Nabi from Rs.10,000/- to Rs.57,400/- p.a.

3. Learned counsel for Administrator General and Official Trustee opposes this application stating that the allowance cannot be enhanced every year and further, the amount claimed by applicant is too high. A Report has also been filed informing the fund position of the trust as on 25.11.2019 as follows:



Total Fixed Deposit Receipts	:	Rs. 47,53,069.00
Less: Corpus	:	Rs. 1,47,000.00

		Rs. 46,06,069.00
Cash balance as on 25.11.2019	:	Rs. 1,48,322.70

Fund position as on 25.11.2019	:	Rs.47,54,391.70

4. This Court has considered the rival submissions and perused the materials on record.

5. Considering the factual aspects as also considering the cost of

essential commodities, this Court considers it appropriate to enhance the allowance from Rs.10,000/- to Rs.20,000/-. Accordingly, respondent is directed to pay a sum of Rs.20,000/- towards allowance for celebration of Rabi-Ul-Awal Milad-e-Nabi, for this year alone.

The application is disposed of with the above direction.

06.12.2019

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