

Application No.3011 of 2020
in
O.P.No.242 of 1955

R.SUBBIAH, J

This Court is held by Video Conference.

2. This application has been filed seeking permission to the Official Trustee to donate the accumulated funds of Rs.1,65,937/- for FY 2016-2017 and Rs.1,51,174/- for FY 2017-18, altogether a sum of Rs.3,17,111/- of “A.H.Rao Trust” for the medical treatment of the Child Thillai Mathivel suffering from Acute Lymphoblastic Leukemia (Blood Cancer) admitted at Meenakshi Mission Hospital & Research Centre, Madurai, through Women’s Welfare Syndicate Trust, GF 1, Corddel Apartments, Old No.13, New No. 29, Pycrofts Garden Lane, Greems Road, Chennai - 600 006.

3. Learned Administrator General and Official Trustee of Tamil Nadu has filed a report dated 02.12.2020, wherein it is stated as follows:

(i) the Official Trustee is the sole executor and appointed trustee of the Estate of Late Arcot Hanumantha Rao under his Will dated 17.02.1950. The Probate was granted in favour of the Official Trustee by this Court vide

order dated 26.4.1956 in O.P.No.242 of 1955.

(ii) as per Clause 6 (c) of the Will, the surplus income after meeting the necessary charges, costs of repairs, etc. and payment of the annuities aforesaid, shall be accumulated until the aggregate amount so accumulated shall be sufficient to build a block of buildings for poor patient in one of the hospitals in the city of Madras. Already, a Maternity Ward Block was constructed at Kosha Hospital, Triplicane and yet another block was constructed in the Government General Hospital, MMC, Chennai. For the financial year 2016-17, accumulation of funds is Rs. 1,65,937/- and for the financial year 2017-18, accumulation of funds is Rs. 1,51,174/-, totally Rs.3,17,111/- is available from the Trust Estate of A.H.Rao Trust Estate.

(iii) the Portfolio Judge for Administrator General and Official Trustee of Tamil Nadu has instructed the AG & OT, if possible, to help the poor child patient after seeing an appeal in "The Hindu" English daily newspaper dated 03.11.2020, which is a requisition from Women's Welfare Syndicate Trust, GF 1, Corddel Apartments, Old No.13, New No. 29, Pycrofts Garden Lane, Greems Road, Chennai - 600 006, requesting to help the child Thillai Mathivel, 2 years old suffering from Acute Lymphoblastic leukemia and requires Rs.8,00,000/- towards Chemotherapy at Meenakshi Mission

Hospital & Research Centre, Madurai.

- (iv) as per the instruction of the Portfolio Judge, the Official Trustee contacted the Women's Welfare Syndicate Trust over phone and asked them to meet the AG & OT with necessary documents. Accordingly, their Accountant met the AG & OT and discussed. Thereafter, they sent the documents with request letters dated 10.11.2020, 27.11.2020 and 28.11.2020. In those letters, they stated that they had already collected Rs.60,000/- for the child blood cancer treatment and requested to donate whatever amount possible. They also enclosed the Trust Deeds, 12A Certificates, 80G Exemption Certificate, IT Returns for the year 2018-2019 and details of the patient. From interaction with them and documents they are doing various charities from public collection. Helping patient for treatment is the major concern.
- (v) in similar situations, this Court has permitted the Official Trustee to donate different types of medical equipments to different Hospitals from different Trust Estates. The details are (i) The breast feeding pump to the value of Rs.12,90,000/- was donated as per the orders of this Court in A.No.5222 of 2016 in C.S.No.90 of 1963 dated 06.10.2016 (ii) ICU Ventilator and Portable Ventilator to the Nano-Natal child care medical instrument was donated to the value of Rs.14,03,360/- as per the orders of this Court in

A.No.6605 & 6606 of 2019 dated 09.09.2019 (iii) Medical equipments with a value of Rs.35,94,000/- were donated to the Dean, Government Medical College Hospital, Dharmapuri as per the orders of this Court in A.Nos. 1159 & 1160 of 2020 dated 13.03.2020.

(vi)the Trust Estate of A.H.Rao's object is to help by providing medical hospital etc. as narrated above. By way of Doctrine of Cypress from the A.H.Rao Trust Estate accumulation of funds for the FY 2016-2017 and 2017-18, the expenditure may be meted out to give medical treatment to the Child Thillai Mathivel at Meenakshi Mission Hospital & Research Centre, Madurai, through Women's Welfare Syndicate Trust, Chennai.

Submitting as above, learned Administrator General and Official Trustee of Tamil Nadu, prays for the above relief.

4. Considering the submissions made and the report dated 02.12.2020, this Court permits the learned Administrator General and Official Trustee of Tamil Nadu to donate the accumulated funds of Rs.1,65,937/- for FY 2016-2017 and Rs.1,51,174/- for FY 2017-18, altogether a sum of Rs.3,17,111/- of "A.H.Rao Trust" for the medical treatment for the Child Thillai Mathivel suffering from Acute Lymphoblastic Leukemia (Blood Cancer) admitted at

Meenakshi Mission Hospital & Research Centre, Madurai, through Women's Welfare Syndicate Trust, GF 1, Corddel Apartments, Old No.13, New No. 29, Pycrofts Garden Lane, Greems Road, Chennai - 600 006.

Accordingly, the application is ordered as prayed for.

gm

10.12.2020



WEB COPY

R.SUBBIAH, J

Application No.3011 of 2020
in O.P.No.242 of 1955

gm



Application No.3011 of 2020
in
O.P.No.242 of 1955

WEB COPY

10.12.2020