

Application No.3010 of 2020

in

C.S.No.177 of 1939

R.SUBBIAH, J

This Court is held by Video Conference.

2. This application has been filed seeking permission to the Official Trustee to utilize a sum of Rs. 3,12,350/- [Rupees Three Lakhs Twelve Thousand Three Hundred and Fifty Only] from the accumulated funds for FY 2016-17 of "MOPL Trust" for purchasing twenty various types of trees in 1125 quantities from the Sri Ambica Nursery, Kadiyapulanka, 533126, Rajahmundry Rural, E.G.District, Andra Pradesh, to donate the said trees to Aram Sei Trust, No.2, Chinnamuthu 3rd Street, E.K.Valasu, Erode 638 011.

3. Learned Administrator General and Official Trustee of Tamil Nadu has filed a report dated 03.12.2020, wherein it is stated as follows:

- (i) the Office of the Official Trustee of Tamil Nadu is administering the Trust Estate of Madras Ordinance Pensioned Lascars Charities as per the Scheme Decree of this Court in C.S.No.177 of 1939 dated 01.08.1941 and performing the charities contained in the Scheme Decree.

(ii)one Mr.S.Sekar, Founder and Trustee of Aram Sei Foundation, No.2, Chinnamuthu 3rd Street, E.K.Valasu, Erode 638 011, a NGO, has given a letter, received on 11.11.2020, stating that the object of the Aram Sei Foundation is to grow trees in and around the limit of Corporation of Erode which contribute to their environment over long periods of time by providing oxygen, improving air quality, climate amelioration, conserving water, preserving soil, and supporting wildlife and they have done about 14,000 plantation from 2016 onwards. They are also doing the follow up action after plantation like irrigation, plant maintenance etc. for 3 years and success rate of survival is about 98%. He further stated that there is scarcity of fund for this Nobel service and requested to do help for the subject trust to do more plantation and plant maintenance activities for safeguarding the nature. He also enclosed the Trust deed, IT return statement, photo clippings and other relevant documents with that letter.

(iii)it is necessary to help them as the world is suffering from Global warming due to cutting of trees and deforesting. As trees grow, they absorb and store the carbon dioxide emissions that are driving global heating. New research estimates that a worldwide planting programme could remove two-thirds of all the emissions from human activities that remain in the atmosphere today,

a figure the scientists describe as “mind-blowing”. During the process of photosynthesis, trees take in carbon dioxide and produce the oxygen we breathe.

(iv)from the documents submitted by Mr. S.Sekar and interaction with him, it is found that his request to provide help for the trees plantation and maintenance is genuine. To this genuine cause, the Official Trustee will join with him to help to protect nature. The Official Trustee’s enquiry from known sources about Mr. Sekar and Aram Sei Foundation received a good response. He also planted good numbers of trees in the District Court Campus, Erode, three years back and it grows very well and benefit to all concerned.

(v)in similar situations, this Court has permitted the Official Trustee to donate different types of vehicles to different institutions from different Trust Estates. Recently, the Official Trustee donated Rs.4,31,189/- as per this Court's order dated 05.11.2020 in Application Nos. 2578 & 2579 of 2020 in C.S.No.15 of 1967 to Sarva Bojan Trust, Chennai, to purchase a vehicle (Van) Maruti Suzuki EECO 5 STR NON AC and Rs.5,00,000/- as per the order dated 11.09.2020 in A.Nos.1974 & 1975 of 2020 in C.S.No.15 of 1967 to Agal Foundation Public Charitable Trust, Chennai, to purchase a

vehicle (Van) Maruthi Suzuki EECO 5 STR AC BS-6 2020 from the accumulated funds for the FY 2016-2017 of MM Ispahani Trust.

(vi)The object of Trust Estate of MOPL is to help poor people by feeding etc.

By way of Doctrine of Cypress from the MOPL Trust Estate accumulation of funds for the FY 2016-17, the expenditure may be meted out to donate some amount to Aram Sei Foundation, No.2, Chinnamuthu 3rd Street, E.K.Valasu, Erode 638 011, for their tree plantation and maintenance in the limit of Corporation of Erode. As directed, Mr. S.Sekar, trustee of the said trust has collected one quotation to purchase twenty various trees in 1125 quantity. He reported that their trust has been purchasing the saplings from the supplier, namely, Sri Ambica Nursery, Kadiyapulanka - 533126, Rajahmundry Rural, E.G.District, Andra Pradesh for the past five years and their service is superb one. Hence, he availed only one quotation. The particulars are given below:

Supplier Company	:	Sri Ambica Nursery, Kadiyapulanka, 533126, Rajahmundry Rural, E.G.District, Andra Pradesh.
Description	:	Twenty Various type of Trees
Quantity	:	1125
Rate	:	Rs.3,12,350/-

(vii)the quotation received from the dealer, namely, Sri Ambica Nursery,

Kadiyapulanka - 533126, Rajahmundry Rural, E.G.District, Andra Pradesh, may be accepted to purchase the various types of trees and donate to Aram Sei Trust.

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 03.12.2020, this Court permits the learned Administrator General and Official Trustee of Tamil Nadu to utilize a sum of Rs. 3,12,350/- [Rupees Three Lakhs Twelve Thousand Three Hundred and Fifty Only] from the accumulated funds for FY 2016-17 of “MOPL Trust” for purchasing twenty various types of trees in 1125 quantities from the Sri Ambica Nursery, Kadiyapulanka, 533126, Rajahmundry Rural, E.G.District, Andra Pradesh, to donate the said trees to Aram Sei Trust, No.2, Chinnamuthu 3rd Street, E.K.Valasu, Erode 638 011.

Accordingly, the application is ordered as prayed for.

10.12.2020

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