

Application No.3163 of 2020
in
O.P.No.20 of 1956

R.SUBBIAH, J

This Court is held by Video Conference.

2. This application has been filed seeking permission to the Official Trustee of Tamil Nadu to utilize Rs.1,23,090/- (Rupees One Lakh Twenty Three Thousand and Ninety Only) out of the net income of FYs 2017-18, 2018-19 and 2019-20 of the Trust Estate of C.K.Krishnaswami Pillai to award scholarships to 14 students as detailed in the list annexed with this application and at the rates specified against each of them.

3. The submissions of learned Administrator General and Official Trustee are as follows:

(i) the Office of the Administrator General and Official Trustee of Tamil Nadu is a statutory body that performs charities and other objectives as per the will of the testator. The office of the Administrator General and Official Trustee of Tamil Nadu is administering the Trust Estate of

C.K.Krishnaswami Pillai as per the terms set out in the will of the testator dated 12.08.1953.

(ii)as per Clause 9 (iii) of the Will, the remainder of the net income after meeting all lawful expenses, should be utilized for the cause of education of poor and deserving Non-Brahmin students with preference to his own community. Para 9 (iii) of the Will reads as follows:

“.....the remainder of the net annual income of my properties after making the payments mentioned above and after payment of all lawful charges and expenses shall be utilized for the education of poor and deserving non-Brahmin students preference being shown to such students belonging to my own community, in the manner hereafter detailed:

(a) by giving such students school or college fees,
(b) by giving such students fees for any course of professional training and
(c) in the case of any such students, who in the opinion of my executor and trustee, shows exceptional merit and brilliance, my executor and trustee may pay him the expenses for study in a foreign university in America, Europe, etc., provided the remainder of the net annual income as stated in Paragraph 9 clause (iii) shall be utilized for the purpose.....”.

(iii)to fulfill the said object, the Office of the Administrator General and Official Trustee of Tamil Nadu have invited applications for award of scholarship for the years 2017-2018, 2018-2019 and 2019-2020 in the prescribed format through advertisement in Daily Thanthi dated 11.10.2020

for the fulfillment of the objectives of the Will of the Testator.

(iv)a Common Paper Publication was effected inviting Applications for different types of scholarships for the academic years 2017-18, 2018-19 & 2019-20 and the details of the same are tabulated below:

Sl No.	Description	Application details
1.	Advertisement made inviting applications for scholarship	Paper Publication "Daily Thanthi" dt.11.10.2020.
2.	Total No. of filled in applications Received from the candidates	698
3.	Total No. of filled in applications received after due date	73
4.	Total No. of filled in applications Received from the candidates within due time i.e. up to 30.10.2020.[Since 30.10.2020 to 01.11.2020 were holidays the application booked by post on 29.10.2020 and received on 02.11.2020 were included in this list]	625
5.	Selected Candidates	148
6.	Candidates applied more than one academic year	30
7.	Total Rejected applications	550

(v)the filled in applications that were received within the prescribed time was

scrutinized in the Office of the Administrator General and Official Trustee of Tamil Nadu and on scrutiny, some of the applications were treated as “Not eligible” for various reasons. The list of applications that were treated as not eligible and the reasons are detailed below:

Sl No.	Description	No.of students
1.	First Graduate	1
2.	Out of Degree as per Advertisement	76
3.	More than one in the same family	--
4.	Other castes out of advertisement	215
5.	Unfilled applications	119
6.	Received Scholarship already from Govt./Other sources	35
7.	Applications received after due date	73
8.	Income above 2 lakhs	1
9.	Candidates applied more than one academic year	30
	Total	550

(vi)out of total 698 applications, 550 applications were rejected or disqualified and remaining 148 applications were categorized under the Trust Estate, the details of which are as follows:

Sl. No.	Name of the Estate	Total Applications Received	Not Eligible Applications	Eligible Applications
1.	K.Vedhantha Mudaliar	43	20	23
2.	OSG Pillai	77	51	26
3.	<u>CKK Pillai</u>	19	5	14
4.	P.R. Chetty	37	23	14

Sl. No.	Name of the Estate	Total Applications Received	Not Eligible Applications	Eligible Applications
5.	T Venkata Subramaniam	473	425	48
6.	DBSR	11	9	2
7.	Mir Muzuriddhin	37	16	21
8.	G.Venkatasa my naidu	1	1	0
Total		698	550	148

(vii) in the C.K.K. Pillai Trust Estate out of 19 candidates 14 of them are eligible for scholarship as detailed below:

Sl. No.	Description	Remarks
1.	Name of the Estate	C.K.Krishnaswamy Pillai
2.	Eligibility	Poor Non-Brahmin Students
3.	Total No. of filled in applications received	19
4.	No.of filled in applications received in time	19
5.	Filled in applications received out of time	--
6.	First Graduate	01
7.	Same family	--
8.	Unfilled applications	01
9.	Out of Degree as per Advertisement	--
10.	Received Scholarship already from Govt/Other sources	01
11.	Candidates Applied more than one academic year	02

Sl. No.	Description	Remarks
12.	Eligible Candidates	14 (As Submitted in the Annexure)

(viii)the Funds Position of the Trust Estate of C.K. Krishnaswamy Pillai as on

07.12.2020 is as follows:

Total Fixed Deposits Rs. 11,80,116.00

Less: Corpus Rs. 6,52,000.00

Rs. 5,28,116.00

Cash on hand as on 07.12.2020 Rs. 15,001.00

Funds position as on 07.12.2020 Rs. 5,43,117.00

(ix)the Office of the Administrator General and Official Trustee of Tamil Nadu

has received a total of 19 applications, out of which, after thorough scrutiny

14 applications were found eligible for Scholarship. The total net income

available for FYs 2017-18, 2018-19 & 2019-20 in the Trust Estate of

C.K.Krishnaswamy Pillai is Rs.1,45,760/-(Rupees One Lakh Forty Five

Thousand Seven Hundred and Sixty Only). In the year 2015-2016,

scholarship was awarded to 33 students, for a sum of Rs. 64,500/- (Rupees

Sixty Four Thousand and Five Hundred only) and was distributed according

to their educational qualifications as per the order of this Court dated

21.02.2018 in Application No.1546 of 2018 in OP No.20 of 1956. For the year 2016-2017, Scholarship was not awarded as there was no adequate fund available from the Trust Estate of C.K.Krishnaswamy Pillai.

(x) the Office of the Administrator General and Official Trustee of Tamil Nadu requires a sum of Rs.1,23,090/- (Rupees One Lakh Twenty Three Thousand and Ninety Only) for awarding scholarship for 14 eligible students for the years 2017-2018, 2018-2019 and 2019-2020. The details of the names of the candidates and the proposed amount of scholarship are annexed herewith.

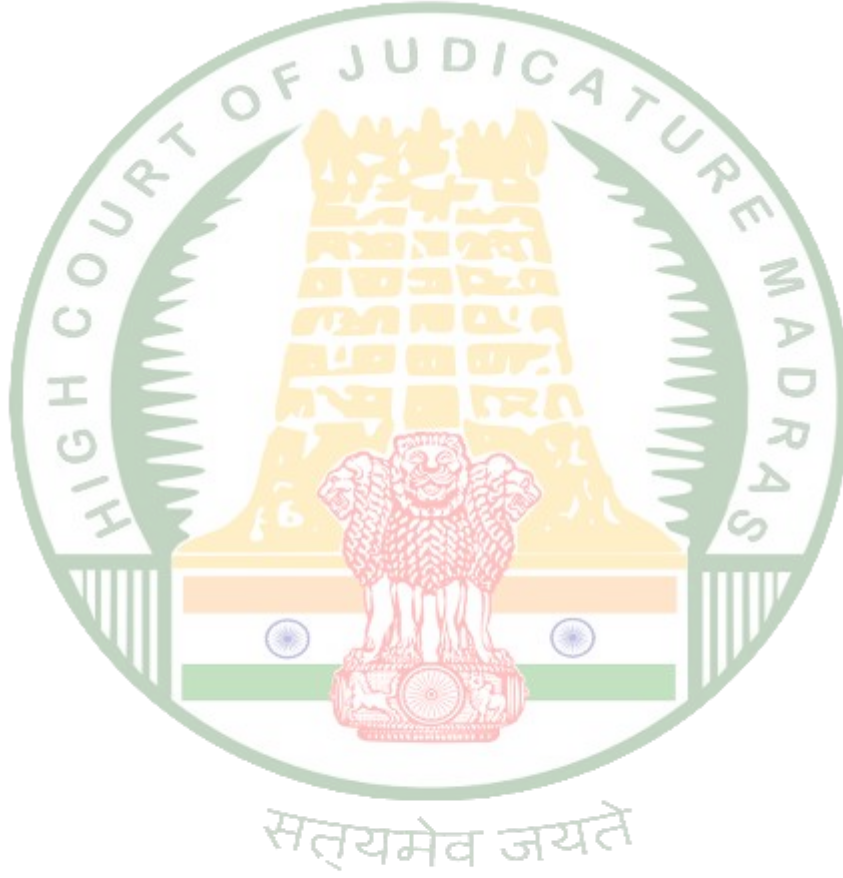
Submitting as above, learned Administrator General and Official Trustee prays for the above relief.

4. Considering the submissions made, this Court grants permission to the Official Trustee of Tamil Nadu to utilize Rs.1,23,090/- (Rupees One Lakh Twenty Three Thousand and Ninety Only) out of the net income of FYs 2017-18, 2018-19 and 2019-20 of the Trust Estate of C.K.Krishnaswami Pillai to award scholarships to 14 students as detailed in the list annexed with this application and at the rates specified against each of them.

Accordingly, the application is ordered as prayed for.

23.12.2020

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