

Application No.3221 of 2020
in
O.P.No.278 of 1948

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 donate Rs.10,000/- (Rupees Ten Thousand Only) to each visually impaired family of 257 families through NEFT Transfer from the accumulation of funds for FYs 2016-2017 & 2017-18 of C.Kandasamy Naidu Trust Estate, totalling Rs.25,70,000/- [Rupees Twenty Five Lakhs and Seventy Thousand Only] as per the list annexed with this report.

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 [AG & OT] has been administrating more than 150 Trust Estates. There are properties to Trust Estates and rental income being derived from it are put it

in fixed deposits. Out of the rental and interest income, the O/o AG & OT have been doing charities, maintenance to the beneficiaries, scholarship to the students, salary to estate staff, making statutory charges to Government, paying income tax and meeting other necessary expenses. Apart from that, as per the orders of this Court donation by way of articles and medical equipments etc. has been made to the NGOs and other institutions based on their request.

(ii) there are about more than 40 Major Trust Estates with the administration of the office of the AG & OT. Those Trust Estates have immovable properties of land and buildings. From the immovable properties monthly rent has been collected from the tenants. There are Fixed Deposits in the Bank. Out of the Fixed Deposits interest income also generated. The object of the Trust has been done then and there.

(iii) in addition to the charities done, whenever surplus amount is available, once a request has been received from a NGO, Government Institution, an individual for donation either by cash or articles/equipment/vehicle etc., the same has been considered by this Court and directed the Official Trustee to

do the same. It has been done then and there.

(iv)the Official Trustee is administering one of the Trust Estate of C.Kandasamy Naidu as per his last Will dated 21.05.1948. This Court granted letters of administration to the Official Trustee by its order dated 05.10.1948 in O.P.No.278 of 1948. The Trust Estate of C.K.Naidu has various properties and fixed deposits. Out of the income generated from it, the charities has been done as per the intention of the Testator and the orders of this Court.

(v)the main purpose of forming a Trust Estate in large number of cases is to help the society, particularly, the poor. Though the office of AG & OT has been performing and doing the charity as per the intention of the Testator and orders of this Court, there are some surplus amounts which may be utilized to the deserving poor people.

(vi)the world is facing unprecedented COVID-19 pandemic. To overcome the COVID-19 pandemic crisis, the Official Trustee has helped by way of donation to the Government of Tamil Nadu, Cancer Institute, Adyar, Madras High Court Advocate Clerks Association, Sarva Bojan Trust, Nivar and

Burevi Cyclone relief to 4 Districts of Tamil Nadu and Puducherry and other NGOs etc., after obtaining necessary orders from this Court.

(vii)during the CORONA-19 even a man having vision has no regular income and suffered a lot of financial difficulties to come over a day-to-day life. One can visualize how the visually impaired people survived their life in these days. Fortunately, the Almighty saved them. It is a right time that one visually impaired advocate of this Court Mr.Mohammed Nashrulla has made an appeal to the Official Trustee to help the visually impaired people at Chennai and Suburb. After hearing him, he was requested to inform the association for blind to send a formal request with a list of deserved families to extend the Official Trustee's support.

(viii)one Thiru.K.Narayanan, President of National Federation of the Blind, No.96, Blind People Colony, Samiar Gate, Maraimalai Nagar 603 209, a NGO, has spoken to the Official Trustee and then sent a letter, received on 08.12.2020 stating that the Federation is the self help movement consists of about 2,000 members. The said federation is running in all districts of Tamil Nadu for the welfare of the visually impaired people and providing job

opportunities, mobility, vendor items to sale in suburban trains as well as creating awareness about the laws, concessions and so on. He further stated that the visually impaired people suffered a lot in this COVID-19 pandemic situation. He also submitted the necessary documents like ID card, Aadhar Card, Bank Details, Contact number etc., from Chennai, Chengulput, Kancheepuram and Thiruvallur Districts for the deserved blind people. The visually impaired are differently abled persons in the society.

(ix)altogether list of 257 visually impaired people families [Annexed in this report] was given by the National Federation of the Blind. All said families residing at Chennai, Chengulput, Kancheepuram and Thiruvallur Districts may be considered by light heartedly and the Official Trustee may be permitted to donate Rs.10,000/- to each family for their survival as stated above with the total cost of Rs.25,70,000/-.

(x)one Trust Estate of C.Kandasamy Naidu, there is accumulation of funds for the FYs 2016-17 & 2017-18 and the same could be spent it before 2021-22 and 2022-23. The amount needed to do charity under this report is Rs.25,70,000/- and the said amount may be meted out from the Trust Estate

of C.Kandasamy Naidu accumulation of funds of FYs 2016-17 & 2017-18 by way of “Doctrine of Cypress” and considering the visually impaired people suffered a lot in this COVID-19 pandemic situation, this Court has power to expand the scope to extend support to help the needy people. 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 donate Rs.10,000/- (Rupees Ten Thousand Only) to each visually impaired family of 257 families [as per the list annexed] through NEFT Transfer from the accumulation of funds for FYs 2016-2017 & 2017-18 of C.Kandasamy Naidu Trust Estate, totalling Rs.25,70,000/- [Rupees Twenty Five Lakhs and Seventy Thousand Only].

Accordingly, the application is ordered as prayed for.

23.12.2020

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