

Application Nos.604 and 605 of 2021
in
Application No.3098 of 2020

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 may be permitted to donate (i) Rs.69,000/- (Rupees Sixty Nine Thousand Only) to Mr.S.Giri, residing at No.1, Eswari Krupa Apartments, No.19/21, Arya Gowda Street Extension, West Mambalam, Chennai 600 033, to pay educational fee to his daughters from the transportation expenditure reserved amount of Rs.1,00,000/- as ordered by this Court in A.No.3098 of 2020 of C.Kandasamy Naidu Trust Estate accumulated funds for FY 2016-17 and (ii) Rs.31,000/- (Rupees Thirty One Thousand Only) to Mrs.A.Manjula residing at No.1/1112, Kumudham Nagar, Mugalivakkam, Porur, Chennai 600 125 to meet out her son's eye operation at Sankara Nethralaya Hospital from the transportation expenditure reserved amount of Rs.1,00,000/- as ordered by this Court in A.No.3098 of 2020 of C.Kandasamy Naidu Trust Estate accumulated funds for FY 2016-17.

3. The learned Administrator General and Official Trustee has submitted a report dated 09.02.2021, in which it is stated as follows:

(i) the office of the Administrator General and Official Trustee of Tamil Nadu

[AG & OT] have been administrating more than 150 Trust Estates. There are properties to Trust Estates and rental income deriving 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. have 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 has been 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, charities have been done as per the intension 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 have 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) due to Nivar & Puravi cyclones, most of the coastal zone areas in Tamil Nadu and Puducherry were affected. To help the deserved families the Principal District Judges of Thiruvallur, Villuppuram, Cuddalore, Puducherry and Ramanathapuram have made request to donate rice and groceries. On considering their request, the Official Trustee has taken out an Application No.3098 of 2020 with a prayer to donate rice and groceries to 3,000 families to the above referred 5 districts with a total expenditure of Rs.31,00,000/- from the accumulated funds for FY 2016-17 and Rs.30,00,000/- was paid to the rice and groceries supplier and Rs.1,00,000/- was reserved for other attending expense. On considering the same, this Court was pleased to allow that application on 15.12.2020. After that the payment was made to the rice and groceries supplier with a cost of Rs.30,00,000/-. The supplier himself delivered the product to the 5 districts court premises. The respective Principal District Judges have taken care for delivery of products to the deserved families without claiming any local transport expenses from the Official Trustee. Therefore, the reserved Rs.1,00,000/- is lying with the Official Trustee.

(vii)one Mr.S.Giri, resident of West Mambalam, Chennai-33, has made a request letter dated 21.01.2021 stating that due to CORONA-19 lock down his earlier job was gone away and presently, he is selling sweets and snacks in a shop for commission basis and earning Rs.10,000/- per month. Prior to that CORONA-19 he was earning Rs.55,000/- per month as a Regional Sales Manager in a private company. His wife was home maker prior to the CORONA-19. Now, she works in a private firm as a sales woman to support his family. His two minor daughters i.e. Harshitha Prasanna and Tharikka Prasanna are doing V Standard and II Standard respectively in a private school i.e. Mahatma Gandhi Vidyalaya (DBHPS) CBSE, T.Nagar, Chennai. For their educational fee for the academic year 2020-2021 he paid it borrowing from his relatives and friends with a tough effort. Since, he has no job security living in a sweet and snack commission basis he needs support from the Official Trustee to pay forthcoming 2021-2022 academic year education fee to both of his daughters. He has enclosed fee payment and other school documents to show that he has paid Rs.37,600/- per child as fee in the current academic year. Considering the same he made a request to help him Rs.1,20,000/- to pay the fee and other attending expenses of

uniform etc. to the forthcoming year.

(viii)one Mrs. A.Manjula, resident of Porur, Chennai-125, made a request letter dated 25.01.2021 stating that his son Mr.Jai Vigneswar is studying at Sri Muthukumaran Institute of Technology. Her son lost vision 100% eyesight due to an accident in the college. Though, initial treatment was given at Sankara Nethralaya, Eye Hospital, a surgery was also done. Even though her son could not get full vision. Doctor advised her son to go for further surgery for correction of eyesight. She is a single parent to her child. With great effort and difficulty she brought up him to the present level of education. Due to CORONA-19 presently, she is jobless and no adequate resource to give further treatment to her son. The Doctor Mrs.Praveen Sen of Sankara Nethralaya, Eye Hospital, has advised to go for further surgery with a total estimation of Rs.31,000/-. At this juncture, she made the request with Doctor Estimation report to help her to overcome the difficulty.

(ix)considering both the cases, first one is educational purpose and second one is medical purpose of eye operation to a young person, it is deserved to be helped by way of humanity aspects. Considering that the estimated transport expenses of Rs.1,00,000/- is not spent as per the order in A.No.3098 of

2020, that amount may be utilized to donate to both deserved cases and out of which Rs.69,000/- may be donated to Mr.S.Giri to pay educational fee to his daughters and Rs.31,000/- may be donated to Mrs. Manjula to meet out her son's eye operation.

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 (i) Rs.69,000/- (Rupees Sixty Nine Thousand Only) to Mr.S.Giri, residing at No.1, Eswari Krupa Apartments, No.19/21, Arya Gowda Street Extension, West Mambalam, Chennai 600 033, to pay educational fee to his daughters from the transportation expenditure reserved amount of Rs.1,00,000/- as ordered by this Court in A.No.3098 of 2020 of C.Kandasamy Naidu Trust Estate accumulated funds for FY 2016-17 and (ii) Rs.31,000/- (Rupees Thirty One Thousand Only) to Mrs.A.Manjula residing at No.1/1112, Kumudham Nagar, Mugalivakkam, Porur, Chennai 600 125 to meet out her son's eye operation at Sankara Nethralaya Hospital from the transportation expenditure reserved amount of Rs.1,00,000/- as ordered by

this Court in A.No.3098 of 2020 of C.Kandasamy Naidu Trust Estate accumulated funds for FY 2016-17.

Accordingly, the applications are ordered as prayed for.

03.03.2021

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