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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 7th DAY OF SEPTEMBER 2021

THE HON'BLE MR. JUSTICE V.PARTHIBAN

O.P.No.523 of 2021

In the matter of Indian Trust Act
1882

and

In the matter of Ullas Trust.

M/s.Ullas Trust

Rep by Authorized Member,

Mr.K.Govindarajan.

Having registered office at

II Floor, Polaries House, 244,

Anna Salai, Chennai 600 006.

... Petitioner

Original Petition praying that this Hon'ble Court be pleased to pass

a judgement and decree

(a) To sell the scheduled mentioned property for the benefit of the Trust agricultural vacant land of 5 acres out of 18 acres and 28 cents comprised in S.No.248/1A situated at Killai Village (South), Chidambaram Taluk, Cuddalore District for the benefit of the trust;

(b) to deposit the sale proceeds of the mentioned property in a nationalized bank.

This Original Petition coming on this day before this Court for hearing in the presence of Mr.V.Aswini Anjana, Advocate for the petitioner herein, and upon reading the Petition and for the Affidavit of



it is ordered :-

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That the petitioner herein be and is hereby permitted to sell the property viz., agricultural vacant land of 5 acres out of 18 acres 28 cents comprising in S.No.248/1A situated in Killai Village (South), Chidambaram Taluk, Cuddalore District, morefully setout in the schedule hereunder, in consonance with the requirements/provisions of the Indian Trust Act, 1882.

Schedule of Property

All that piece and parcel of Agricultural vacant land measuring 5 acres out of 18 acres 28 cents comprised in S.No.248/1A situated at Killai Village(South), Chidambaram Taluk, Cuddalore District situated on the East of Buckingham canal, West of properties owned by Thaikkal Durga Trust, Town Panchayat Palm Thoppu, South of Mullukkuthurai Road, North of Property retained by the vendors and the property owned Thaikkal Durga Trust within the registration district of Chidambaram and Sub Registration District of Portonova.

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS
THE 07th DAY OF SEPTEMBER 2021.

Sd./-

ASSISTANT REGISTRAR (O.S.II)

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)



KY-23.09.2021

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O.P. No.523 of 2021

ORDER

DATED: 07.09.2021

THE HON'BLE MR.JUSTICE
V.PARTHIBAN

FOR APPROVAL: 23.09.2021

APPROVED ON : 24.09.2021



IN THE HIG+H COURT OF JUDICATURE AT MADRAS

DATED: 07.09.2021

Coram

The Hon'ble Mr. Justice **V.PARTHIBAN**

O.P.No.523 of 2021

M/s.Ullas Trust
Rep by Authorized Member,
Mr.K.Govindarajan.

...Petitioner

Vs.

NIL

...Respondent

Petition filed under Section 34 of the Indian Trust Act, 1882 praying to (a) to sell the agricultural vacant land of 5 acres out of 18 acres 28 cents comprised in S.No.248/1A situated at Killai Village (South), Chidambaram Taluk, Cuddalore District for the benefit of the trust; (b) to deposit the sale proceeds of the mentioned property in a nationalized bank.

For Petitioner : Mr.V.Aswini Anjana

ORDER

Seeking permission to sell the agricultural vacant land of 5 acres out of 18 acres 28 cents comprising in S.No.248/1A situated in Killai Village (South), Chidambaram Taluk, Cuddalore District the present



Act, 1882, this Original Petition has been filed.

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2.It is the case of the petitioner that the property described in the schedule was originally owned and possessed by the Trust. The learned counsel for the petitioner submitted that the above mentioned property is agricultural vacant land and is not occupied and is not fetching any income or profits to the Trust. He further submitted that the above said property will serve no purpose to the Trust and is not fetching any regular income and in the meeting held on 26.12.2019, it was resolved to sell the property. Seeking permission to sell the property, the petitioner Trust has filed this Original Petition.

3.Mr.K.Govindarajan, one of the Authorized member of the petitioner Trust examined himself as P.W.1 and marked the following documents viz., Exs.P1 to P4:

Ex.P1 is the certified copy of the Trust deed dated 03.07.1995.

Ex.P2 is the photocopy of the sale deed dated 07.03.2007 executed in favour of M/s.Ullas Trust in respect of the property mentioned in the petition.

Ex.P3 is the photocopy of the Board Resolution dated 26.12.2019.

Ex.P4 is the photocopy of the minutes of the board of trustees held



on 26.12.2019.

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4.Learned counsel appearing for the petitioner submits that the vacant land which is sought to be sold, was purchased from and out of the funds of the Trust. The said vacant land is an agricultural land and same is not occupied and is not fetching any income or profits to the Trust.

5.Considering the above, this Court is inclined to allow this petition. Accordingly, the Original Petition is allowed. The petitioner is permitted to sell the agricultural vacant land of 5 acres out of 18 acres 28 cents comprising in S.No.248/1A situated in Killai Village (South), Chidambaram Taluk, Cuddalore District, in consonance with the requirements/provisions of the Indian Trust Act, 1882.

Sd./-V.P.N.J
07.09.2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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