



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 19th DAY OF AUGUST 2021

THE HON'BLE MR.JUSTICE N.KIRUBAKARAN

A. No.2879 of 2021

The Administrator General and Official Trustee of Tamil Nadu,
High Court Campus,
Chennai 600 104.

: Applicant

Application praying that this Hon'ble Court be pleased to permit the AG & OT to donate Rs.20,00,000/- (Rupees twenty lakhs only) from the accumulation funds of “Kadappakkam Charities” Trust Estate of FY 2018-2019; Rs.20,00,000/- (Rupees twenty lakhs only) from the accumulation funds of “MOPL Charities” Trust Estate of FY 2018-2019 altogether, Rs.40,00,000/- (Rupees forty lakhs only) to MS Chellamuthu Trust & Research Foundation, No.643, K.K.Nagar, Madurai 625 020 for its Common Dining Hall & Kitchen construction Works.

This Application coming on this day before this court for hearing through video conferencing in the presence of Mr.S.Raju for Official Trustee of Tamil Nadu, appearing for the Applicant herein, and upon reading the judges summons and the report of the Administrator General

and the Official Trustee of Tamil Nadu filed herein, and it is ordered:-

That The Administrator General and Official Trustee of Tamil



Nadu, the applicant herein be and is hereby permitted to donate Rs.20,00,000/- (Rupees twenty lakhs only) from the accumulation funds of “Kadappakkam Charities” Trust Estate of Financial Year 2018-2019; Rs.20,00,000/- (Rupees twenty lakhs only) from the accumulation funds of “MOPL Charities” Trust Estate of Financial Year 2018-2019 altogether, Rs.40,00,000/- (Rupees forty lakhs only) to MS Chellamuthu Trust & Research Foundation, No.643, K.K.Nagar, Madurai 625 020 for its Common Dining Hall & Kitchen construction Works and aforesaid amount shall be paid within a period of four weeks from the date of receipt of a copy of this order.

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS
THE 19th DAY OF AUGUST 2021.

Sd/-
ASSISTANT REGISTRAR (COMM.CASES)
//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.



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01.09.2021
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A. No.2879 of 2021

ORDER :-
DATED:19.08.2021

THE HON'BLE MR.JUSTICE
N.KIRUBAKARAN

FOR APPROVAL: 01.09.2021

APPROVED ON : 07.09.2021



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: Applicant

Application praying that this Hon'ble Court be pleased to permit the AG & OT to donate Rs.20,00,000/- (Rupees twenty lakhs only) from the accumulation funds of “Kadappakkam Charities” Trust Estate of FY 2018-2019; Rs.20,00,000/- (Rupees twenty lakhs only) from the accumulation funds of “MOPL Charities” Trust Estate of FY 2018-2019 altogether, Rs.40,00,000/- (Rupees forty lakhs only) to MS Chellamuthu Trust & Research Foundation, No.643, K.K.Nagar, Madurai 625 020 for its Common Dining Hall & Kitchen construction Works.

This Application coming on this day before this court for hearing

the court made the following order:-

This Application has been taken out to permit the Administrator General and Official Trustee to donate Rs.20,00,000/- from the accumulation funds of “Kadappakkam Charities” Trust Estate of financial



Charities” Trust Estate of financial year 2018-19 altogether Rs.40,00,000/- to M/s. Chellamuthu Trust & Research Foundation, No.643, K.K.Nagar, Madurai 625 020 for its common dining hall and kitchen construction works.

2. By letter dated 07.07.2021, the Administrator General has sought support to construct a common Dining Hall and a Kitchen facility at Bodhi campus at Alagarkovil, Madurai. The said facility will create a safe dining ambience to hundreds of persons affected with mental illness residing at the campus, differently abled children with mental retardation, family members of persons affected with mental illness, staff and students visiting the organization.

3. Based on the Trust request, the Secretary, District Legal Services Authority made an inspection and filed a report on 17.08.2021. A perusal of the said report would disclose about the services being rendered by the said organisation to hundreds of persons affected with mental illness residing at the campus, differently abled children with mental retardation, family members of persons affected with mental illness, staff and students visiting the organization. The said report is usefully extracted hereunder:-

“I humbly submit that as per the request received from the Hon'ble District Judge, AG & OT, City Civil Court buildings AG & OT office, I Floor, Madras High Court Campus, Chennai in the 1st



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reference cited above and the proceedings of the Hon'ble Principal District Judge, Madurai in the 2nd reference cited above, the premises of the M/s. Chellamuthu Trust and Research Foundation near Alagar Kovil, Madurai district is inspected at 10.30 a.m. this day and the report is humbly submitted.

I submit that the M/s. Chellamuthu Trust Research Foundation Centre is near Alagarkovil Temple at the foot of the Alagar Hills and when enquired, Mr.K.S.P.Janardhan Babu, Director, Programme who was present in the centre, explained that 300 to 350 persons could be given accommodation in the centre.

I humbly submit that when interacted with the inmates, it is found that the trust is acting as an implementing agency for Rescue and Rehabilitation Home for the mentally disabled orphans, Homeless Wandering and destitute of Madurai and nearby districts.

I humbly submit that Mr. K.S.P. Janardhan Babu, Director, Programme, explained the overall activities, the Community Board Programmes and Trainings conducted twice a month and the residential programmes and trainings conducted in the Campus in which nearly 100 participants are to be given accommodation and food.

I submit that there were 35 staff members and 151 inmates at the time of my inspection. Among the 151 inmates 92 are males and 59 are females. There were no children during the time of my inspection. The staff when enquired, told that due to the Covid-19 pandemic, the children are residing with their parents and the strength of the inmates would be more during the normal days.

I submit that when interacted with them, the staff told that they are in need of a bigger dining hall attached with the kitchen since the present dining halls lack space for all the inmates and trainees and that they have to carry the food many times for one batch after another.

I also submit that while inspecting the



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premises, there were two kitchens found amount which 1 is open type kitchen where chapattis and dosas were prepared and another is used for preparing other food items and includes store room.

I further submit that there are 3 dining halls found separately in separate places and the dining halls are also used by the inmates for other activities such as "Handicrafts", since they have not other places for these activities.

I submit that the kitchens and dining halls are in separate blocks and the prepared food from the kitchens are carried by the staff to the dining halls and the staff said that it is even more difficult to carry the food to the dining halls during rainy days.

I humbly submit that when interacted with the staff and workers in the kitchen is is understood that the premises is in need of a bigger kitchen along with a bigger dining hall and storeroom to feed the growing strength of the inmates and participants of the training programmes.

I most humbly submit my report fro your honour's kind perusal and consideration"

From the above it is clear that it is just and necessary to construct a common dining hall and a kitchen facility. Taking into consideration of all these things, this Court allows this Petition as prayed for. A sum of Rs. 40,00,000/- shall be paid, within a period of four weeks from the date of receipt of a copy of this order.

Sd./-N.K.K.J
19.08.2021

//Certified to be true copy//

Dated at Madras this the day of 2021.