



A. No.4757 of 2021

A. No.4757 of 2021 in
O.P. No.20 of 1956

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M.DURAI SWAMY, J.

The Administrator General and Official Trustee of Tamil Nadu, has filed the above application, to permit him to utilise Rs.10,000/- (Rupees Ten Thousand Only) out of the net income for the Financial Year 2020-2021 of the Trust Estate of C.K.Krishnaswami Pillai, to award of scholarships to one student as detailed in the list annexed with this application and at the rates specified against each of them.

2. The learned Official Trustee, has filed a report, which reads as follows:

The Official Trustee of Tamil Nadu humbly submits that 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 Official Trustee humbly submits that 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.

2. The Official Trustee further submits that 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



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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.....”.

3. The Official Trustee further submits that 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 year 2020-2021 in the prescribed format through advertisement in Daily Thanthi Dt. 05.09.2021 for the fulfillment of the objectives of the Will of the Testator.

4. The Official Trustee further submits that a Common Paper Publication was effected inviting Applications for different types of scholarships for the academic year 2020-21 and the details of the same are tabulated below:



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Sl. No.	Description	Application Details
1.	Advertisement made inviting applications for scholarship	Paper Publication "Daily Thanthi" dt.05.09.2021
2.	Total No. of filled in applications received from the candidates	139
3.	Applications received after due date	8
4.	Total No. of filled in applications received from the candidates within due time i.e. up to 28.09.2021	131
5.	Selected Candidates	31
6.	Total Rejected applications	108

5. The Official Trustee further submits that 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	--
2.	Out of Degree as per Advertisement	23
3.	Male student of Muslim Community applied (Not Eligible)	1
4.	Incomplete Application	51
5.	Received Scholarship already from Govt./ Other sources	15
6.	Applications received after due date	8
7.	Caste Not mentioned	2
8.	Candidates applied for the academic year 2021-22	8
	Total	108



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6. The Official Trustee further submits that out of total 139 applications that were received in the office, 108 applications were rejected or disqualified and of remaining 31 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.Vedantha Mudaliar	3	1	2
2.	OSG Pillai	30	20	10
3.	CKK Pillai	6	5	1
4.	P.R.Chetty	15	10	5
5.	T.Venkata Subramaniam	69	60	9
6.	DBSR	4	2	2
7.	Mir Muzuriddhin	8	6	2
8.	G.Venkatasamy Naidu	2	2	0
9.	No Estate/Caste Not mentioned	2	2	0
Total		139	108	31

7. The Official Trustee further submits that in the C.K.K. Pillai Trust Estate out of 6 candidates 1 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	6
4.	No. of filled in applications received in time	5
5.	Applications received after due date	1
6.	First Graduate	--



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Sl. No.	Description	Remarks
7.	Same Family	--
8.	Unfilled applications	4
9.	Out of Degree as per Advertisement	--
10.	Received Scholarship already from Govt/ Other sources	--
11.	Candidates applied more than one academic year	--
12.	Eligible Candidates	1 (As submitted in the Annexure)

8. The Official Trustee humbly submits that the Funds Position of the Trust Estate of C.K.Krishnaswamy Pillai as on 19.11.2021 is as follows:

Total Fixed Deposits	Rs.10,84,116.00
<u>Less: Corpus</u>	Rs. 6,52,000.00

	Rs. 4,32,116.00
Cash on hand as on 19.11.2021	Rs. 50,295.00

Funds position as on 19.11.2021	Rs. 4,82,411.00

9. The Official Trustee further submits that the Office of the Administrator General and Official Trustee of Tamil Nadu has received a total of 6 applications, out of which, after thorough scrutiny 1 applications were found eligible for Scholarship. The total net income available for FYs 2020-21 in the Trust Estate of C.K.Krishnaswamy Pillai is Rs.63,788/- (Rupees Sixty Three Thousand Seven Hundred and Eighty Eight Only).

10. The Administrator General further submits that in the years 2017-18, 2018-19 and 2019-20 scholarship was awarded to 14 students, for a sum of Rs.1,23,090/- (Rupees One Lakh Twenty Three Thousand and Ninety Only) and was distributed according to their educational qualifications as per the order of the Hon'ble High Court



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dated 23.12.2020 in Application No.3163 of 2020 in O.P. No.20 of 1956 from the Trust Estate of C.K.Krishnaswamy Pillai.

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11. The Official Trustee humbly submits that the Office of the Administrator General and Official Trustee of Tamil Nadu require a sum of Rs.10,000/-(Rupees Ten Thousand Only) for awarding scholarship for 1 eligible student for the years 2020-2021. The details of the Name of the candidate and the proposed amount of scholarship are annexed herewith.

The Official Trustee, is therefore, submits and prays that

(i) This Hon'ble Court may be pleased to permit the Official Trustee to utilize Rs.10,000/-(Rupees Fifty Thousand Only) out of the net income of FYs 2020-21 of the Trust Estate of C.K.Krishnaswami Pillai to award scholarships to 1 student as **detailed in the list annexed** with this application and at the rates specified against each of them.

(ii) To pass such other or further orders as this Hon'ble Court may deem fit in the case and thus render justice.

Submitting as above, the learned Administrator General and Official Trustee, prays for the relief sought for in the Judge's Summons.

3. Considering the submissions made, this court grants permission to the learned Administrator General and Official Trustee of Tamil Nadu, to utilise Rs.10,000/- (Rupees Ten Thousand Only) out of the net income for the Financial Year 2020-2021 of the Trust Estate of C.K.Krishnaswami Pillai, to award of scholarship to one student as detailed



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in the list annexed with this application and at the rates specified against each of them, as per the eligibility norms.

4. Accordingly, the application is ordered, as prayed for.

17.12.2021

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