



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 24th DAY OF JUNE 2022

THE HON'BLE MR. JUSTICE M.DURAI SWAMY

A. No.2304 of 2022

in

O.P. No.278 of 1948

In the matter of the Last Will and
Testament of C.Kandasamy Naidu
(Deceased)

Official Trustee of Tamil Nadu,
High Court Campus, Chennai-104.

... Applicant/Petitioner
(in all the applications)

A. No.2304 of 2021:-

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 Administrator General and Official Trustee to donate a sum of
Rs.91,000/- (Rupees Ninety One Thousand only) from the Trust Estate of
C.Kandasamy Naidu's accumulated fund of Rs.34,00,894/- of FY 2018-19
for donation of Uniform Dress Materials to the poor students studying in the
Madras Tamil Mission, Thiruvottiyur, Chennai-19.

This application coming on this day before this Court for hearing

in the presence of Mr.S.Raju, Administrator General and Official Trustee of

Tamil Nadu, the applicant herein, appearing in person and upon reading the



Judge's Summons and the report of the Administrator General and Official Trustee of Tamil Nadu filed herein, it is ordered:-

That the Learned Administrator General and Official Trustee of Tamil Nadu, the applicant herein be and is hereby permitted to donate a sum of Rs.91,000/- (Rupees Ninety One Thousand only) from the Trust Estate of C.Kandasamy Naidu's accumulated fund of Rs.34,00,894/- of FY 2018-19 for the purpose of providing uniform dress materials to the poor students studying in the Madras Tamil Mission, Thiruvottiyur, Chennai – 19.

WITNESS THE HON'BLE MR.JUSTICE MUNISHWAR NATH BHANDARI, CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 24th DAY OF JUNE 2022.

Sd/-

ASSISTANT REGISTRAR (O.S.II)

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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A. No.2304 of 2022
in
O.P. No.278 of 1948

ORDER

DATED: 24.06.2022

THE HON'BLE MR.JUSTICE
M.DURAI SWAMY

FOR APPROVAL: 30.06.2022

APPROVED ON : 30.06.2022



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for donation of Uniform Dress Materials to the poor students studying in the
Madras Tamil Mission, Thiruvottiyur, Chennai-19.

This application coming on this day before this Court for hearing

through video conferencing, the Court made the following order:-



The learned Administrator General and Official Trustee of Tamil Nadu (“AG & OT” for brevity) has filed the above application seeking permission to donate a sum of Rs.91,000/- from the Trust Estate of C.Kandasamy Naidu's accumulated fund of Rs.34,00,894/- of FY 2018-19 for the purpose of providing uniform dress materials to the poor students studying in the Madras Tamil Mission, Thiruvottiyur, Chennai-19.

2.In support of the prayer sought for in the application, the learned AG & OT has filed a report, dated 06.06.2022, wherein, it has been stated as follows :

The Administrator General and Official Trustee of Tamil Nadu [AG & OT] submits that the office of the Administrator General and Official Trustee of Tamil Nadu has been administering more than 150 Trust Estates. There are properties pertaining to the Trust Estates where the rental income derived from them are put in fixed deposits. Out of the rental and interest income the O/o AG & OT has been doing charities, maintenance to the beneficiaries, scholarship to the students, salary to estate staff, making statutory charges to government, paying income tax, meeting other necessary expenses. Apart from that, as per the orders of the Hon'ble High Court donation by way of things, articles and medical equipments etc. have been made to the NGOs and other institutions based on their request.

2. *The AG & OT further submits that the Trust Estate of*



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C.Kandasamy Naidu as per his last Will dated 21.05.1948 [D1]. The Hon'ble High Court granted letters of administration to the Official Trustee by its order dated 05.10.1948 in O.P.No.278 of 1948 [D2]. The Trust Estate of C. Kandasamy Naidu has various properties and fixed deposits. Out of the income generated from it the charities has been done as per the intension of the Testator and the orders of this Hon'ble Court.

3. The Official Trustee further submits that the main purpose of forming a Trust Estate in large number 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 Hon'ble Court. Scholarships are also awarded to meritorious students by obtaining appropriate orders from this Hon'ble Court.

4. The AG & OT further submits that there is an accumulation of fund for the FY 2018-2019, to a tune of Rs.34,00,894/- pertaining to the trust estate of C. Kandasamy Naidu, which has to be spent within five years before FY 2023-2024.

5. The AG & OT further submits that this office is also administering the trust estate of Madras Tamil Mission wherein there are three Government aided schools at Thiruvottiyur, Kaladipet and Sathangadu under the control of this office. These schools are being administered by Board Members appointed by this office. The Madras Tamil Mission Trust has no income earning assets.

6. The AG & OT further submits that the Headmistress



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of the Madras Tamil Mission School at Thiruvottiyur has given a requisition letter Dt. 29.04.2022, requesting to provide school uniforms for the downtrodden students of her school who are unable to afford to buy their school uniforms and more over even though the Government had provided them with uniforms they do not fit their sizes. Hence, it has become vain. The letter is marked as Exhibit [D3].

7. The AG & OT further submits that the headmistress has also sent a quotation for the prescribed school uniform material from the nearest dealer named U.P.U. Balasubramanya Nadar Son ABINAYAM, No, 300-301, T.H. Road, Thiruvottiyur Market, Chennai – 600 019. Further two more quotations were obtained by this office from the nearest dealers as detailed below. The quotations are marked as Exhibit [D4].

S. No	Name of Suppliers	Cost of Pant Material	Cost of Shirt Material	Total
1	U.P.U. Balasubramanya Nadar SonABINAYAM, Thiruvottiyur, Chennai – 19.	360Mtrs x Rs. 224 = Rs. 80,640/-	320 Mtrs x Rs.84 = Rs. 26,880/-	Rs. 1,07,520/-
2	Mummy Daddy, No. 3, Mint Street, Chennai – 79.	360Mtrs x Rs. 199.5 = Rs. 71,820/-	320MtrsxRs. 66.15 = Rs. 21,168/-	Rs. 92,988/-
3	New Cholan Matching, No. 247, R.K.Mutt Road, Mylapore, Chennai – 5.	360Mtrs x Rs. 195 = Rs.70,200/-	320 Mtrs x Rs. 65 = Rs. 20,800/-	Rs. 91,000/-

8. The AG & OT further submits that from the above three suppliers Sl. No. 3 “New Cholan Matching”, No. 247, R.K.Mutt Road, Mylapore, Chennai – 5, has quoted the least amount for both pant and shirt materials which are to be donated to the poor children of Madras Tamil Mission School, Thiruvottiyur, Chennai – 19.”



3. Being satisfied with the averments stated in the report filed in support of the application, the application is allowed and the learned AG & OT is permitted to donate a sum of Rs.91,000/- from the Trust Estate of C.Kandasamy Naidu's accumulated fund of Rs.34,00,894/- of FY 2018-19 for the purpose of providing uniform dress materials to the poor students studying in the Madras Tamil Mission, Thiruvottiur, Chennai-19.

Sd./-M.D.J.
24.06.2022

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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