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A.No.2789 of 2022
in C.S.No.204 of 1940

Application No.2789 of 2022
in C.S.No.204 of 1940

M.DURAI SWAMY, J.

The learned Administrator General and Official Trustee (AG & OT) has filed the application seeking permission to utilise Rs.6,08,195/- (Rupees Six Lakh Eight Thousand One Hundred and Ninety Five only) from the funds of the Trust Estate MKA Charities for entrusting the construction of 6 new toilets (3 Gents toilets & 3 Ladies toilets), to repair the compound wall and open flooring area and to provide new borewell in the premises at No.52, Angappan Street, Olakadai Market, Mannady, Chennai 600 001, to Ve Be N Construction, No.31/1, 2nd Street, K.K.Nagar, Thirumullaivoyal, Chennai 600 062.

2. In support of the prayer sought for in the application, the learned AG & OT has filed a report dated 13.07.2022 wherein it has been stated as follows:-

"01. The Official Trustee of Tamil Nadu submits that the office of the Administrator General and Official Trustee of Tamil Nadu [AG & OT] is administering more than 150 Trust Estates. There are properties to the Trust Estates and rental income deriving from it are placed in fixed deposit. Out of the rental and interest income on fixed deposit the O/o AG & OT is doing charities,



A.No.2789 of 2022
in C.S.No.204 of 1940

WEB COPY

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 donations are being made by way of things, articles and medical machines etc. have been given to the NGOs and other institutions based on their request.

02. *The Official Trustee further submits that the Trust Estate of Mylai Kandappa Arunachala Chetty is being administered by the Official Trustee of Tamil Nadu as per the scheme decree framed by this Hon'ble Court dated 25.02.1942 in C.S.No. 204/1940 based on the Will of the Testator [D1]. The Official Trustee further submits as per Clause 19 of the Will, the income should be utilized for the advancement of education of the poor and deserving pupils as indicated in the Will. The intention of the Testator has been fulfilled upto date by awarding scholarship.*

03. *The Official trustee further submits that the premises at No. 52, Angappan Street, Olakadai Market, Mannady, Chennai – 600 001, belongs to the Trust Estate of Mylai Kandappa Arunachala Chetty administered by the Official Trustee of Tamil Nadu. There are 67 small shops. The occupants of Olakadai Market are Tenants under the official Trustee at the above mentioned premises and paying Rs. 1,28,300/- per month. They are paying rent regularly. It is humbly submitted that the most of the shops are occupied by women, selling fish.*

04. *The Official Trustee further submits that the Olakadai Market Women Tenants sent a request letter signed by all women*



A.No.2789 of 2022
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WEB COPY

tenants dated 18.04.2022 **[D2]** to the Official Trustee stating that there is no Toilet and Water facilities in that premises. Further they said that they are in the shops from morning to evening. They have no any toilet and water facility in that place. Further they requested to construct new toilet and bore well for them. The Official of this office had inspected the place and found that there is no toilet and water facility to the tenants. Especially for women.

05. The Official Trustee further submits that based on the request from the tenants this office on 29.05.2022 had called for quotations from the registered contractors for constructing 6 number of toilets and digging a bore well and installation of over head tanks through phone from the following companies.

1. Ve Be N Constructions
2. Ruth Builders
3. VKM Promoters.

In the above only one construction company namely Ve Be N Construction, Thirumullaivoyil had sent their quotation on 16.06.2022 through email. The details of the quotations is as follows **[D3]**.

Sl.No.	Company	Nature of Work	Rate
1.	Ve Be N Construction, No.31/1, 2nd Street, K.K.Nagar, Thirumullaivoil, Chennai 600 062.	6 New Toilets (3 Gents Toilets, 3 Ladies Toilets) and Repairs of compound wall and open flooring area and providing new Bore Well in Mannady	Rs.6,08,195/-



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WEB COPY

06. The Official Trustee further submits that the quotation quoted by the contractor Ve Be N Construction, No.31/1, 2nd Street, K.K.Nagar, Thirumullaivoyal, Chennai 600 062, with a cost of Rs. 6,08,195/- may be accepted and the construction of 6 New Toilets (3 Gents Toilets, 3 Ladies Toilets) and Repairs of compound wall and open flooring area and providing new Bore Well in Mannady work may be entrusted to the said contractor. The expenditure of Rs. 6,08,195/- may be meted out from the funds of Mylai Kandappa and Arunachala Chetty Charities. Sufficient funds are available in the trust concerned.

07. The Official Trustee of Tamil Nadu further submits that the funds position of the Trust Estate of Mylai Kandappa chetty and Arunachala Chetty is detailed below: **[D4]**

Total Fixed Deposit Receipts	Rs. 4,22,84,064/-
Less: Corpus	Rs. 41,94,271/-

	Rs. 3,80,89,793/-
Cash balance as on 13.07.2022	Rs. 7,91,546/-

Fund position as on 13.07.2022	Rs.3,88,81,339/-

(Rupees Three Crores Eighty Eight Lakhs Eighty One Thousand Three Hundred and Thirty Nine Only)

08. The Official Trustee further submits that the above said Ve Be N Construction, No.31/1, 2nd Street, K.K.Nagar,



A.No.2789 of 2022
in C.S.No.204 of 1940

WEB COPY

Thirumullaivoyal, Chennai 600 062 had already carried out two construction and repair works in a satisfied manner.

(1). Renovation work at Thandu Mariamman Koil, Vepary belongs to MOPL Charities

(2). Constructed a MS Sheet compound in front of No. 161/72, Lingi Chetty Street, Chennai, belongs to Sivakamu Ammal Trust.

The Official Trustee of Tamil Nadu, therefore, humbly submits and prays that this Hon'ble Court may be pleased to permit the Official Trustee to utilize Rs. 6,08,195/- (Rupees Six Lakh Eight Thousand One Hundred and Ninety Five Only) from the date of order from Mylai Kandappa Arunachala Chetty Trust Estate fund for entrusting the construction of 6 New Toilets (3 Gents Toilets, 3 Ladies Toilets) and Repairs of compound wall and open flooring area and providing new Bore Well in the premises at No. 52, Angappan Street, Olakadai Market, Mannady, Chennai – 600 001, to Ve Be N Construction, No.31/1, 2nd Street, K.K.Nagar, Thirumullaivoyal, Chennai 600 062."

I am satisfied with the report filed by the learned AG & OT. In view of the same, the application is allowed as prayed for.

29.07.2022

sra



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