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A.No.5144 of 2022
in O.P.No.109 of 1942

Application No.5144 of 2022
in O.P.No.109 of 1942

PARESH UPADHYAY, J.

The learned Administrator General and Official Trustee (AG & OT) has filed the application seeking to permit the Official Trustee to pay a sum of Rs.22,976/- (Rupees Twenty Two Thousand Nine Hundred and Seventy Six Only) towards advertisement charges for the paper publication in Tamil Daily News paper "Daily Thanthi" dated 26.06.2022 to the Pachaiyappa's Charities, Chennai-30 from the income of the Trust Estate of V.Thiruvengadathan Chetty Charities.

2. In support of the prayer sought for in the applications, the learned AG & OT has filed a report dated 11.11.2022 wherein it has been stated as follows:-

"The Official Trustee of Tamil Nadu humbly submits that Rao Bahadur V.Thiruvengadathan Chetty appointed the Administrator General and Official Trustee of Tamil Nadu to be the Executor and Trustee of his Will dated 29.11.1941. Subsequent to his demise, Probate was granted to the Administrator General of Tamil Nadu in O.P. No.109 of 1942. Subsequently, the Estate of Rao Bahadur V.Thiruvengadathan Chetty has been transferred to the Office of the Official Trustee



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of Tamil Nadu as per the order dated 07.04.1977 in Application No.942 of 1977 in O.P.No.109 of 1942 [D1 & D2].

2. The Official Trustee further submits that the said Will provides for a number of charities to be performed in various Temples. The Clause 15 of the Will read as follows:-

"The remainder of the annual net income of my properties after making the payments mentioned above and after payments of all lawful charge and expenses shall be handed over to the Pachaiyappa's Charities for providing scholarships for Vysya Students".

3. The Official Trustee further submits that to meet out the above said contingencies the Trust has got more than sufficient funds to an extent of **Rs.9,52,57,610/- (Rupees Nine Crore Fifty Two lakh Fifty Seven Thousand Six Hundred and Ten Only)** as could be seen from the Funds position.

4. The Official Trustee further submits that for the academic year 2020-21, this Hon'ble Court by its order dated 05.08.2021 in A.Nos.2647 & 2648 of 2021 in OP No.109/1942 was pleased to permit the Official Trustee to pay a sum of **Rs.30,96,535/- (Rupees Thirty Lakh Ninety Six Thousand Five Hundred and Thirty Five Only)** towards the Scholarship and for advertisement charges of **Rs. 18,676/- (Rupees Eighteen Thousand Six Hundred and seventy Six Only)** to the Pachaiyappa's Trust from the income of



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V.Thiruvengadathan Chetty Charities for the award of scholarships to 51 Vysya Students.

5. The Official Trustee further submits that for the academic year 2021-22, this Hon'ble Court by its order dated 29.07.2022 in A.Nos.2992 & 2993 of 2022 in OP No.109/1942 was pleased to permit the Official Trustee to pay a sum of Rs.30,37,202/- (Rupees Thirty Lakh Thirty Seven Thousand Two Hundred and Two Only) towards the Scholarship and for advertisement charges of Rs. 18,559/- (Rupees Eighteen Thousand Five Hundred and Fifty Nine Only) to the Pachaiyappa's Trust from the income of V.Thiruvengadathan Chetty Charities for the award of scholarships to 42 Vysya Students. **[D3]**.

6. The Official Trustee further submits that for the academic year 2014 - 15, 2015 - 16 scholarships were not distributed due to the pendency of the applications. For which contempt application No.143 of 2016 was filed against the Secretary, Pachiappa's Trust Board, Pachiayappa Collage and Administrator General and Official Trustee of Tamil Nadu. In which after conducting enquiry the Hon'ble High Court had directed the respondents to complete the disbursement of scholarship amount within two months in its Order dated on 13.04.2022 **[D4]**.

7. The Official Trustee further submits that in pursuant to the order of Hon'ble High Court, The Secretary, Pachiappa's Trust Board, Pachiappa



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College, had issued a paper publication in "Daily Thanthi" on 26.06.2022 Edition **[D5]**. Subsequently application forms were posted at Pachiappa Board Trust Website on 26.06.2022 for downloading towards applying Arya Vysya Students Scholarship for the year 2014 - 15 and 2015-16. Following which filled in applications were received and scrutinized as follows.

Sl.No	Last date to received applications (as per our advertisement)	11.07.2022		
		2014-15	2015-16	
1	No. of filled-in applications received	2	4	
2	No. of applications met the eligibility norms	1	4	
3	No. of applications rejected	1	0	

8. The Official Trustee further submits that for the year 2014-15 two applications were received. One application was rejected for not meeting the eligibility norms. For the year 2015 - 16 four applications were received. For which the total scholarship amount was calculated and arrived as Rs.30,000/- [Rupees Thirty Thousand only] for academic year 2014-15. And Rs.4,06,000/- [Rupees Four Lakhs Six Thousand only] for academic year 2015-16. All the applications along with the request for the release of scholarship amount and expenses for paper publication Rs. 22,976/- [Rupees Twenty Two



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Thousand Nine Hundred and Seventy Six only] were submitted to the office of the Administrator General and Official Trustee of Tamil Nadu on 03.08.2022 **[D6]** .

9. The Official Trustee further submits that the office of the Administrator General and Official Trustee of Tamil Nadu had verified the applications and relevant documents. For the year 2014-15 one application was received from Mr.P.Kugan. In which the income certificate was enclosed in the name of P.Apoorva, D/o.Prabhu Sankar, who is the sister of Mr.P.Kugan. The income certificate was not issued in the candidate's name. Hence, it was rejected. For the year 2015-16 totally four applications were received, the details are given below.

Sl. No	Name of the Student	Amount	Reason for rejection
1	P.Kugan	Rs. 30,000/-	Income certificate in the name of his sister P.Apoorva instead of his father Tr. Prabha Sankar.
2	P.Apoorva	Rs.23,000/-	Both applicants Sl.No.1 & 2 are same family. As per condition 4 only one applicant from a family to eligible for scholarship and also Income Certificate is in her name.
3	N.Abishek Received application on 19.07.2022	Rs.3,35,000/-	Photo graph not attested by the principal with seal and also age mention is wrong. Further



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4 G.Prithivi Rs.18,000/-
Received
application on
25.07.2022

application received
after due dated
11.07.2022
Photo graph not
attested by the
principal with seal.
Application received
after due dated
11.07.2022

10. The Official Trustee further submits that after the verification all the applications were rejected as they failed fulfill the norms. The same was intimated to the Secretary, Board of Pachiappa's Trust, Pachiappa College by way of letter dated on 17.08.2022 [D7]. Therefore, the request made by the Secretary, Board of Pachiappa's Trust, for the sanction of Rs.22,976/- (**Rupees Twenty Two Thousand Nine Hundred and Seventy Six Only**) towards the scholarship advertisement charges on "Daily Thanthi" news paper alone can be allowed.

11. The Official Trustee further submits that as per the records in the Office of the Administrator General and Official Trustee of Tamil Nadu the funds position of the trust as on 06.10.2022 is as follows:- [D8]

Total Fixed Deposit Receipts	Rs. 9,56,63,958/-
LESS: Corpus	Rs. 25,00,000/-

	Rs. 9,31,63,958/-
ADD: Cash Balance	
as on 06.10.2022	Rs. 20,93,652/-



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Funds position

as on 06.10.2022

Rs. 9,52,57,610/-

**(Rupees Nine Crore Fifty Two lakh Fifty Seven
Thousand Six Hundred and Ten Only)**

The Official Trustee of Tamil Nadu humbly submits and prays that this Hon'ble Court may be pleased to permit the Official Trustee:

(i) To pay **Rs.22,976/- (Rupees Twenty Two Thousand Nine Hundred and Seventy Six Only)** towards **advertisement charges** for the paper publication in Tamil Daily News paper "Daily Thanthi" dated 26.06.2022 to the Pachaiyappa's Charities, Chennai-30, from the income of the Trust Estate of V.Thiruvengadathan Chetty Charities"

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

18.11.2022

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PARESH UPADHYAY, J.

(raa)

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18.11.2022