



OSA.Nos.288, 267, 440 of 2011 and 254 of 2012 &
Cross Obj. No.2 of 2012

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on 04.09.2023	Delivered on 13.09.2023
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CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBRAMANIAN**
and
THE HONOURABLE MRS.JUSTICE **R.KALAIMATHI**

Original Side Appeal Nos.288, 267 & 440/11 and 254 of 2012,
Cross Objection No.2 of 2012 in OSA No.288 of 2011
and connected Miscellaneous Petitions

OSA No.288 of 2011

1. R.Ramadoss
2. A.Logiah
3. M.Nithyanandam
4. K.Karthikaya Venkatachalapathi ... Appellants/Plaintiffs

Versus

1. Sriram Educational Trust,
Rep. by its Chairman,
No.18, Evening Bazaar Road,
Chennai 600 003.
2. Mrs.Kasthuri Parthasarathy



OSA.Nos.288, 267, 440 of 2011 and 254 of 2012 &
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3. M.D.Rajkumar

4. B.Audhikesavalu .. Respondents 1 to 3/Defendants 1,3 & 4

R4 impleaded as respondent vide order
of Court dated 13.08.2014 made
in MP No.2/14 in OSA No.288 of 2011

PRAYER: Original Side Appeal is filed under Order XXXVI Rule 1 of
the Original Side Rules read with Clause 15 of the Letters Patent, to set
aside the Judgment and decree dated 28.07.2011 made in C.S.No.1047 of
2010 and thereby fill up the vacancies in the Board of Trust.

For Appellant : Mr.R.Parthasarathy, Senior Counsel
for M/s.K.C.Krishnamurthy

For Respondents : Mr.K.J.Parthasarathy, for R1

Mr. S.R.Rajagopal, Senior Counsel
for Mr.V.Anilkumar, for R2

Mr.T.V.Ramanujun, Senior Counsel
for Mr.C.Jagadish, for R3

Mr.J.Thilagaraj, for R4

OSA No.267 of 2011

Mrs.Kasthuri Parthasarathy

... Appellant

Versus



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1. Sriram Educational Trust,
Rep. by its Chairman,
No.18, Evening Bazaar Road,
Chennai 600 003.
2. M.D.Rajkumar
3. R.Ramadoss
4. A.Logiah
5. M.Nithyanandam
6. K.Karthikeya Venkatachalapathi .. Respondents

PRAYER: Original Side Appeal is filed under Order XXXVI Rule 1 of the Original Side Rules read with Clause 15 of the Letters Patent, to set aside the Judgment and decree dated 28.07.2011 made in C.S.No.1047 of 2010 for framing the Scheme, substituting the Board of Trustees and appoint the appellant's son as a Trustee and thereby filling up the vacancies in the Board of Trust.

For Appellant : Mr. S.R.Rajagopal, Senior Counsel
for Mr.V.Anilkumar

For Respondents : Mr.K.J.Parthasarathy, for R1



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Mr.T.V.Ramanujun, Senior Counsel
for Mr.C.Jagadish, for R2

Mr.R.Parthasarathy, Senior Counsel
for M/s.K.C.Krishnamurthy,
for RR3 to 6

OSA No.440 of 2011

V.Ellammal

... Appellant/Third Party

Versus

1. Sriram Educational Trust,
Rep. by its Chairman,
No.18, Evening Bazaar Road,
Chennai 600 003.

2. Mrs.Kasthuri Parthasarathy

3. M.D.Rajkumar

4. R.Ramadoss

5. A.Logiah

6. M.Nithyanandam

7. K.Karthikeya Venkatachalapathi

.. Respondents

PRAYER: Original Side Appeal is filed under Order XXXVI Rule 1 of



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the Original Side Rules read with Clause 15 of the Letters Patent, to set aside the Judgment and decree dated 28.07.2011 made in C.S.No.1047 of 2010 for framing the Scheme, substituting the Board of Trustees and permit the appellant to continue as permanent trustee and thereby fill up the vacancies in the Board of Trust.

For Appellant : Mr.C.P.R.Kamaraj

For Respondents : Mr.K.J.Parthasarathy, for R1

Mr. S.R.Rajagopal, Senior Counsel
for Mr.V.Anilkumar, for R2

Mr.T.V.Ramanujun, Senior Counsel
for Mr.C.Jagadish, for R3

Mr.R.Parthasarathy, Senior Counsel
for M/s.K.C.Krishnamurthy,
for RR4 to 7

OSA No.254 of 2012

1. R.Vasu

2. O.V.Krishnamurthy

3. R.Murali

... Appellants/3rd Parties

Versus

1. R.Ramadoss

2. A.Logiah

3. M.Nithyanandam



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4. K.Karthikeya Venkatachalapathi

5. Sriram Educational Trust,
Rep. by its Chairman,
No.18, Evening Bazaar Road,
Chennai 600 003.

6. M.E.Devarajan (since died)

7. Mrs.Kasthuri Parthasarathy

8. M.D.Rajkumar

.. Respondents

PRAYER: Original Side Appeal is filed under Order XXXVI Rule 1 of the Original Side Rules read with Clause 15 of the Letters Patent, to set aside the Judgment and decree dated 28.07.2011 passed in C.S.No.1047 of 2010 .

For Appellant : Mr.R.Selvakumar

For Respondents :Mr.R.Parthasarathy, Senior Counsel
for M/s.K.C.Krishnamurthy,
for RR1 to 4

Mr.K.J.Parthasarathy, for R5

Mr. S.R.Rajagopal, Senior Counsel
for Mr.V.Anilkumar, for R7

Mr.T.V.Ramanujun, Senior Counsel
for Mr.C.Jagadish, for R8

R6 – Died



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Cross Objection No.2 of 2012

1. M.D.Rajkumar

... Cross Objector

Versus

1. R.Ramadoss

2. A.Logiah

3. M.Nithyanandam

4. K.Karthikeya Venkatachalapathi

5. Sriram Educational Trust,
Rep. by its Chairman,
No.18, Evening Bazaar Road,
Chennai 600 003.

6. Mrs.Kasthuri Parthasarathy

.... Respondents

PRAYER: The Cross Objection is filed under Order XLI Rule 22 of the Code of Civil Procedure, the Cross Objector prays for modification and framing of the scheme decree.

For Cross Objector : Mr.T.V.Ramanujun, Senior Counsel
for Mr.C.Jagadish

For Respondents : Mr.R.Parthasarathy, Senior Counsel
for M/s.K.C.Krishnamurthy, for RR1 to 4



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Mr.K.J.Parthasarathy, for R5

Mr. S.R.Rajagopal, Senior Counsel
for Mr.V.Anilkumar, for R6

COMMON JUDGMENT

(Judgment of the Court was delivered by R.SUBRAMANIAN, J.)

Challenge in all these Appeals is to the Scheme settled by this Court in exercise of the powers under Section 92 of the Code of Civil Procedure for a Public Charitable Trust created by an individual belonging to Telugu Linguistic Minority for the benefit of the said Minority Community.

2. The Trust was established by a Deed of Declaration of Trust dated 20.10.1983 executed by one Mr.B.Audhikesavalu, Son of Bojji Naidu for establishing Educational Institutions including Colleges (Medical and Engineering), Polytechnics and Research Institutions with the sole object of catering to the benefit of the Telugu Linguistic Minority people living in Tamil Nadu. He appointed three persons to be the first



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permanent Trustees. They are M.A.Ehirajulu Naidu, Son of Abbaya Naidu, M.E.Devarajan, Son of M.A.Ehirajulu Naidu and one L.A.Parthasarathy, Son of Ayyavoo Naidu, first of the Trustees viz. M.A.Ehirajulu Naidu was a leading business man.

3. The said Deed also prescribed the total number of permanent Trustees at a minimum of three and a maximum of nine. The Author also vested the power of nominating the remaining six Trustees with the three permanent Trustees appointed by him. There are other clauses in the Deed which contain several directions regarding the qualification of Trustees, disqualifications and other guidelines for day to day administration of the Trust. By passage of time, as is the case in several Educational Trusts, the affairs of this Trust also got mired into controversies which led to filing of several cases in this Court. At one point of time, this Court had to step in, remove the existing Trustees and appoint an Interim Committee to manage the Trust. There also several objections were raised, since some of the members of the Interim Committee did not belong to the Minority Community. A Government



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Order issued by the Government of Tamil Nadu requiring all the Trustees to be persons belonging to the minority community in case of a Trust which claims a status of minority, was also cited as a reason for the objections.

4. Ultimately, a suit in CS No.1047 of 2010 came to be filed seeking framing of a scheme for proper management of the Trust. By that time, the Trust had established at least six Educational Institutions in a Village called Perumalpattu on the outskirts of the city of Chennai. They are

- (i) Sriram Polytechnic College;
- (ii) Sriram Engineering College;
- (iii) Sriram Arts and Science College;
- (iv) Sriram Matriculation School;
- (v) Sriram Institute of Management Studies; and
- (vi) Sriram Institute of Hotel Management and Catering Technology.

The strength of the students in these Institutions also swelled to 6000.



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There was also a general complaint that the first of the Founder Trustees Mr. M.A.Ehirajulu Naidu, had hijacked the Trust and converted it into a family Trust.

5. The said suit was resisted by the existing Trustees viz. the son and grandson of Mr.M.A.Ehirajulu Naidu and Mrs.Kasturi Parthasarathy, wife of Mr.L.A.Parthasarathy, one of the permanent trustees appointed by the author. Various allegations and counter allegations were traded between the parties. The Villagers of Perumalpattu also stepped in with the claim that they must be represented in the Board of Trustees. It was also claimed that the Author of the Trust was only the author and the Trust itself came into existence at the initiative of Thiru.M.A.Ehirajulu Naidu and that was the reason why both the Mr.M.A.Ehirajulu Naidu and his son were made first permanent Trustees. It was also claimed that due to the infighting among the Trustees and the alleged mismanagement, the strength of the students in the Colleges drastically reduced putting the Trust into heavy financial strain. A comparison was made between the number of students



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admitted to other Engineering Colleges in that area and the number of students, who sought admission in Sriram Engineering College, to justify the contention that the Colleges were not being properly administered.

6. At the hearing of the suit several suggestions were made and there were suggestions to have a retired Judge of the Hon'ble High Court as the Chairman of the Board of Trustees to include certain Industrialists or Chartered Accountant and other Professionals. There were also suggestions for nomination of academicians like retired Vice Chancellors and Bureaucrats. The author of the Trust, who is luckily alive, also filed certain Memorandums giving his suggestions. He was also blamed of taking sides and not being flexible.

7. After hearing the parties and after taking into account the various suggestions that were made, Hon'ble Mr.Justice V.Ramasubramanian framed the Scheme. As per the Scheme framed by the Hon'ble Judge, the composition of the Trust Board was as follows:

A retired Vice Chancellor of any one of the Universities



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recognized by the University Grants Commission belonging to the Telugu Linguistic Minority; a retired officer of the Indian Administrative Service of the Tamil Nadu Cadre with impeccable record of service belonging to the Telugu Linguistic Minority; three members from the family of M.A.Ehirajulu Naidu, one of the founder Trustees, including his descendants through his daughters Nagammal and Andal, two academicians of reputation. The total number of trustees was thus restricted to seven. The scheme also provided that the retired Vice Chancellor will be the Chairperson of the Trust Board and one of the Trustees representing the family of M.A.Ehirajulu Naidu to be the Secretary. The Scheme also provided for various qualifications and disqualifications for the trustees. It also contains various provisions for day to day administration of the Colleges and Guidelines as to the number of meetings that are to be held and provisions for nomination of Trustees in case of casual as well as permanent vacancies and other provisions relating to the Management of



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WEB COPY the Trust and the Colleges.

8. Aggrieved by the said Scheme Decree, the appellants have come up with these Appeals. OSA No.267 of 2011 has been filed by Tmt. Kasturi Parthasarathy, wife of Late L.A.Parthasarathy, one of the founder Trustees. OSA No.288 of 2011 has been filed by the plaintiffs in the suit. The Author of the Trust though was not made a party to the suit was impleaded in OSA No.288 of 2011 as the fourth respondent. OSA No.440 of 2011 has been filed by one Ellammal, a third party, who is wife of one Varadharajalu Naidu, who was a trustee for a certain period. OSA No.254 of 2012 has been filed by three of the Villagers of Perumalpattu. Cross Objection No. 2 of 2012 has been filed by the Trust.

9. We have heard Mr.R.Parthasarathy, learned Senior Counsel for Mr.K.C.Krishnamurthy, learned counsel for the appellants in OSA No.288 of 2011, respondents 3 to 6 in OSA No.267 of 2011, respondents 4 to 7 in OSA No.440 of 2011, respondents 1 to 4 in OSA No.254 of 2011 and Respondents 1 to 4 in Cross Obj. 2 of 2012,



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Mr.K.J.Parthasarathy, learned counsel for the Sriram Educational Trust in all the appeals, MR.S.R.Rajagopal, learned Senior Counsel appearing for Mr.V.Anil Kumar for the second respondent in OSA 288 of 2011, appellant in OSA 267/2011, for the second respondent in OSA 440/2011, and for seventh respondent in OSA NO.254 of 2012 and for the sixth respondent in Cross Obj. No.2 of 2012, Mr.T.V.Ramanujun, learned Senior Counsel appearing for Mr.C.Jagadeesh for the third respondent in OSA No.288 of 2011, second respondent in OSA No.267/2011, third respondent in OSA No.440 of 2011, and eighth respondent in OSA No.254 of 2012 and for the Cross Objector in Cross Obj. No.2 of 12, Mr.J.Thilagaraj, learned counsel appearing for the fourth respondent in OSA NO.288 of 2011, Mr.C.P.R.Kamraj, learned counsel appearing for the appellant in OSA No.440 of 2011 and Mr.R.Selvakumar, learned counsel appearing for the appellant in OSA No.254 of 2012.

10. From the arguments of the Counsel appearing before us, we could gather that it is only the composition of the Board of Trustees which is being very seriously objected to. All the learned counsel in



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unison would submit that it will be very difficult to find a retired Vice Chancellor and a retired Bureaucrat belonging to the Telugu Linguistic Minority. Though, Hon'ble Mr.Justice V.Ramasubramanian was able to nominate Tmt.Vasanthidevi, a retired Vice Chancellor as a Trustee, she has chosen to resign and unable to find another retired Vice Chancellor from the Telugu Linguistic Minority, the Trust is now being headed by a retired Director of School Education Dr.R.Narayanasamy. The present incumbent in the cadre of a retired Bureaucrat are an I.A.S. Officer in Tamil Nadu cadre Mr.S.Audiseshiah, has also expressed his disinclination to continue.

11. Reliance is also placed by the learned counsel on the judgment of a Division Bench of this Court in ***R.Ramanujam v. Dr.P.Theagarayan***, dated 08.04.2010 which was rendered in an Appeal filed against a Scheme framed by Hon'ble Mr.Justice Ramasubramanian himself, wherein the Division Bench had changed the composition of the Board of Management by deleting the provision for nomination of a retired Officer of the Indian Administration Service, nomination of an



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Industrialist and nomination of two academicians by the Vice Chancellor of the Madras University. The modifications were made by the Division Bench, considering the difficulties involved in identifying a particular Officer that too belonging to a particular Community or a Minority.

12. Apart from the above, we also feel that it may not be an ideal situation to have a retired Vice Chancellor belonging to Telugu Linguistic Minority, as the Chairman of the Trust Board or as a Trustee in view of the present day situation where most of the Vice Chancellors are accused of corruption or maladministration, even during their service or immediately after their retirement. It is necessary that the Scheme should ensure seamless functioning of the Trust so that the trustees do not spend time on nomination of new trustees and they concentrate more on the administration and development of the Educational Institutions. In such view of the matter, we are of the considered opinion that the composition of the Trust Board at least requires certain modifications, so that the nomination of future trustees is made easy.

13. The other aspects of the Scheme are not challenged by any of



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the appellants. We therefore feel that the following modifications could be made to ensure proper and seamless functioning of the Trust and the proper Management of the Educational Institutions.

(i) For the reasons aforementioned, the provision for having a retired Vice Chancellor as the Chairman of the Trust will stand deleted instead a Chartered Accountant of repute not below the age of 50 years belonging to the Telugu Linguistic Minority, will be the Chairperson of the Trust.

(ii) Two academicians who have been Head of the Department in any University, approved by the UGC including a deemed to be University or any Government College or any Government Aided College or any Private Engineering College or Medical College affiliated to Anna University or Dr.M.G.R.Medical University or a Director of School Education or Collegiate Education. Needless to point out that they shall belong to Telugu Linguistic Minority. These two academicians can be nominated by



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the other Trustees. At least one of the Academicians shall belong to the Engineering discipline.

(iii) Two members from the family of Late M.A.Ehirajulu Naidu, to be nominated by the other Trustees, it shall be ensured that one of the two members is from the descendants of daughters of M.A.Ehirajulu Naidu, Tmt. Nagammal and Tmt. Andal.

(iv) One from the descendants of L.A.Parthasarathy Naidu. Mrs.Kasturi Parthasarathy is already holding the office of Trusteeship, she shall continue for three years from now and after three years the other Trustees can nominate one of the descendants of L.A.Parthasarathy Naidu.

One from the descendants of the Author of the Trust Mr.B.Audhikesavalu.

(The term decendants will include both Male and female decendants and the decendants of the brothers or sisters of the individual.)



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Tenure of Office:

14. Every Trustee appointed shall hold office for a period of three years from the date of his/her appointment. All the Trustees would be eligible to be reappointed subject to the condition that the person, who has served for two consecutive terms, shall not be eligible for reappointment for the next succeeding term.

Mode of Appointment:

15. Two months prior to the expiry of the term, the existing trustees shall call for applications from eligible persons under each category and nominate the new trustees subject to their fulfilling the qualifications. The Trustee from the same category shall not be a part of the selection process of the new trustee for that category. For example:

(i) The existing Chartered Accountant Trustee shall not participate in the selection of the New Chartered Accountant Trustee.

(ii) Similarly the members of the M.A.Ehirajulu



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Naidu family shall not participate in the selection of new trustees from that family. This will apply to the other trustees also.

If there are no applicants for a particular category, it will be open to the Board of Trustees to invite a competent person, who will fulfill the qualifications to be a Trustee. The existing trustees shall ensure that the regular vacancies are filled up well in advance and any casual vacancies that may arise due to death or resignation are filled up within two months from the date of such death or resignation.

16. We have reduced the number of representatives of the family of the M.A.Ehirajulu Naidu from three to two, only to ensure that the family does not gain an upper hand, since the total number of Trustees is fixed at seven. We must point out at this juncture that Hon'ble Mr.Justice Ramasubramanian himself in the judgment impugned before us had pointed out that Late M.A.Ehirajulu Naidu had converted it as a Family Trust which led his descendants to believe that the Trust is also a partible



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estate of the Family.

17. We are in entire agreement with the views expressed by the Hon'ble Judge, however, the Hon'ble Judge has taken note of the contributions of the family to the Trust and had provided for three of the family members to be made trustees in the present Trust. Since the total number of trustees is pegged at seven, it will be very easy for the family to winnow one more person and again run the trust by majority at their whims and fancies. In order to avoid such situation, We have brought down the representation of the said family to two from three.

18. The author of the Trust had in fact expressed his disinclination to participate in the affairs of the Trust and he has also made it clear that none of his descendants want to be part of the Trust before the Hon'ble Judge, when the suit was being heard. On being informed that the author is alive, we had required him to give his suggestions and also to appear before us through video conferencing. Since he is a bit short of hearing, he had, at the ripe old age of 90, appeared before us and also filed an



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affidavit suggesting appointment of his niece one Mrs.N.Saranya as a trustee. Since we found that she is only 33 years of age, we required him to make any other suggestion. Accordingly, he has suggested one Mrs.M.Lakshmi, a niece of him, to be a trustee. We find that she is an entrepreneur and she has also been functioning as a trustee of Sri. Adikesava Perumal Kainkarya Trust, which shows her philanthropic disposition.

19. Certain suggestions have also been made by the incumbent trustees as well as by the parties for constitution of the Trust Board. As on date, there are six existing trustees of whom two are academicians, one belongs to the family of M.A.Ehirajulu Naidu, and one belongs to the family of L.A.Parthasarathy. The other two viz. the IAS Officer and one Dr.P.Govindarajulu another academician have expressed their disinclination to continue on the Board. Therefore, it has become necessary for us to reconstitute the Board of Trustees. Such reconstitution also becomes essential in view of introduction of the Chartered Accountant instead of the Vice Chancellor and two representatives of the



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families of Late L.A.Parthasarathy and Mr.B.Audhikesavalu. While Dr.R.Narayanasamy and Dr.S.Sumathi, who are the existing trustees, will continue as trustees in the category of academicians, the name of one Mr.P.L.N.Raghu Kumar, a Chartered Accountant has been suggested by the parties. He has also filed a consent affidavit, we find him suitable for taking up the job of the Chairman of the Trust Board. Therefore, Mr.P.L.N.Raghu Kumar, Chartered Accountant, is appointed as the Chairman of the Trust Board for a period of three years from the date on which he assumes office.

20. Mrs.Kasturi Parthasarathy, who is already functioning as a trustee is nominated as a trustee for a further period of three years from the date on which the new Trust Board assumes office as representative of the family of Late Shri.L.A.Parthasarathy.

21. Smt. M.Lakshmi, niece of Mr.B.Audhikesavalu is appointed as a trustee for a period of three years from the date on which the new Trust Board assumes office as a representative of the family of



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Shri.B.Adhikesavalu, the author of the trust.

22. Even though the villagers of Perumalpattu had made out a strong case for being nominated to the Board, we are of the opinion that selecting one fit person from the villagers may pose a lot of problems to the trustees and hence we are not enabling nomination of one of the villagers to the Board of Trustees.

Qualification:

23. The Hon'ble Mr.Justice Ramasubramanian, has prescribed only general qualifications which read as follows:

General Qualification:

(i) No person who is a minor or of unsound mind or one who is adjudged as an insolvent or has been convicted of any offence by a Criminal Court shall eligible to be appointed as a Trustee.

(ii) No person who is associated with or interested in any individual or institution, to whom a



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contract has been awarded by the trust, shall be eligible to be elected or nominated as a Trustee.

We feel that some more basic educational qualifications should be fixed for the trustees nominated by the families. We therefore add Clause 3 to the clauses relating to General Qualification which will read as follows:

(iii). The person who is nominated as a trustee shall be a graduate and also be an Income Tax Assessee. This will apply only to the family member trustees.

24. As a result of the foregoing discussion, the Clause 3 of the Scheme Decree will stand amended as follows:

Constitution of the Board of Trustees:

(a) The Trust Board shall be managed and administered by a Board of Trustees comprising of seven persons, one of whom shall be the Chairperson and another the Secretary;

(b) The Chairperson shall always be a Chartered



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Accountant of repute aged not less than 50 years
belonging to the Telugu Linguistic Minority;

(c) Two Academicians who shall be either
working or retired, Head of the Department in any
University recognized by the UGC or a deemed to be
University, Government or Government Aided College
or any Private Engineering or Medical College affiliated
to the Anna University or Dr.M.G.R.Medical University
respectively or a Director of School Education or
Collegiate Education. It shall be ensured that these two
academicians are also persons belonging to Telugu
Linguistic Minority and atleast one of them is from the
engineering discipline;

(d) Two members from the family of Late
M.A.Ehirajulu Naidu, including the descendants of his
daughters, of whom one shall function as a secretary by
turns.

(e) One member from the family of Late



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L.A.Parthasarathy Naidu.

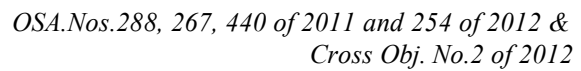
(f) One member from the family of
Mr.B.Audhikesavalu, the Author of the Trust.

25. Clause 4 relating to general qualification will stand amended as follows:

(i) No person who is a minor or of unsound mind or one who is adjudged as an insolvent or has been convicted of any offence by a Criminal Court shall eligible to be appointed as a Trustee.

(ii) No person who is associated with or interested in any individual or institution, to whom a contract has been awarded by the trust, shall be eligible to be elected or nominated as a Trustee.

(iii) The person who is nominated as a trustee shall be a graduate and also be an Income Tax Assessee. This will apply only to the family member trustees.



26. Every Trustee shall hold office for a period of three years from the date of his/her appointment, all the Trustees will be eligible for reappointment subject to the condition that a person who has served for two consecutive terms shall not be eligible for reappointment for the third term only. The other provisions of the Scheme are confirmed.

(i) *Mr.P.L.N.Raghu Kumar, S/o. P.Chandrasekar, Chartered Accountant, residing at New No.70, Old No.44, Burkit Road, T.Nagar, Chennai 600 017, will be the Chairman of the Trust Board.*

(ii) Dr.R.Narayanasamy and Dr.S.Sumathi, existing Trustees will continue as Trustees for a further period of three years from the date on which the new Trust Board assumes office as Academician Trustees.

(iii) *Mr.M.D.G.Rajkumar, will continue as a*



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Trustee as a representative of Late M.A.Ehirajulu Naidu family. His grandson through his daughter Tmt.Nagammal, Mr.R.N.Ravikumar, will be trustee for a period of three years from the date on which the new Trust Board assumes office, as the second member belonging to Late M.A.Ethirajalu Naidu family.

(iv) Mrs.Kasturi Parthasarathy, who is now functioning as a trustee will continue for a further period of three years from the date on which the new Trust Board assumes office.

(v) Mrs.M.Lakshmi, D/o. Munirathinam, niece of Mr.B.Audhikesavalu, is nominated as a Trustee, as the representative of the family of Mr.B.Audhikesavalu, the author of the Trust.

The Trustees above nominated shall hold office for the period of three years from the date on which they assume office as Trustees.



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27. The Appeals will stand **allowed** as indicated above and the Scheme Decree will stand modified as above. The other clauses of the scheme decree are confirmed. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

(R.SUBRAMANIAN, J .) (R.KALAIMATHI, J.)
13.09.2023

jv

Index : Yes
Internet : Yes
Neutral Citation : Yes
Speaking order

To
The Section Officer,
Original Side,
High Court of Madras



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Cross Obj. No.2 of 2012*

R.SUBRAMANIAN, J.
and
R.KALAIMATHI, J.

jv

Pre Delivery Judgment in
Original Side Appeal Nos.288, 267 & 440/11 and 254 of 2012,
Cross Objection No.2 of 2012 in OSA No.288 of 2011
and connected Miscellaneous Petitions

13.09.2023