



WEB COPY



A.No.2828 of 2023

A.No.2828 of 2023
in
O.P.No.109 of 1942

S.VAIDYANATHAN,J.

This application has been filed by the Official Trustee of Tamil Nadu, seeking to permit the AG&OT to donate Rs.15,00,000/- (Rupees Fifteen Lakhs only) for the MHAA Library renovation work from the accumulation funds of FY 2018-2019 of the Trust Estate of V.Thiruvengadathan Chetty to Madras High Court Advocates Association, Chennai-600 104.

2. Learned Additional Deputy AG & OT, by referring to the Resolution passed by the Committee for Restoration of the MHAA Library dated 11.05.2023 and the subsequent letter of the Registrar (Administration) dated 11.05.2023, has submitted that as per the order received from the Registrar, AG&OT has filed this application for the donation of Rs.15,00,000/-.

3. It is seen that the Trust Estate of Rao Bahadur V.Thiruvengadathan Chetty vests with the AG&OT, pursuant to the grant of Probate in favour of the AG&OT vide order dated 07.04.1977. A close reading of the Last Will and



A.No.2828 of 2023

Testament of V.Thiruvengadathan Chetty unearths the fact that the Testator

vividly explained as to how the funds from the Estate Property should be utilized. The Will nowhere permits the AG&OT to donate the amount for any renovation work, much less MHAA Library renovation work. If the amount is permitted to be used for MHAA Library renovation work, purchase of books, electronic gadgets like Computer, etc., the clear intention of the Testator would be defeated. There are roughly 286 Associations situated throughout the Courts of Tamil Nadu and there is every possibility of all 286 Associations to come with the similar demand, which will amount to opening a Pandora's box. Moreover, no Registrar or Committee shall address AG&OT for payment of money to any Association or Organization irrespective of the interest of the Testator, unless there is a Will, specifically indicating to donate the amount for the said purpose.

4. Finding no justification in the request made by the learned AG&OT, this Application is dismissed. Similar request by any Law Association shall not be entertained, as it is for the respective Association to manage their affairs and shall not try to avail funds from the trust properties under any heads, much



A.No.2828 of 2023

less renovation work, purchase of electronic items, books, etc. This order shall be communicated to the Hon'ble Judge, who is hearing AG&OT matters, time and again in future.

09.06.2023

ar

To:

The Administrator General and
Official Trustee of Tamil Nadu,
High Court,
Madras.



WEB COPY



A.No.2828 of 2023

S.VAIDYANATHAN,J.
ar

A.No.2828 of 2023
in O.P.No.109 of 1942

09.06.2023