



A.No.3304 of 2024
in
C.S.No.571 of 2018

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Dr.G.JAYACHANDRAN,J.

Application No.3304 of 2024 filed by the three Trustees of Smt.M.D.Yadugiri Ammal and Smt.M.M.C. Alamelu Ammal Trust to authorise them to sell the property situated at Old Door No.43, Present No.63, also called 36-A, Thiruvalluvar Pettai, First Street, St.Mary's Road, Raja Annamalaipuram, Chennai 600 028 for the better administration and welfare of the Trust.

2. According to the applicants, in C.S.No.571 of 2018, this Court vide order dated 14.09.2020 had framed Scheme for easy administration of the Trust, which has been created from and out of the endowments and property of Smt.M.D.Yadugiri Ammal through her Will dated 08.07.1979. According to the applicants, the schedule mentioned property measuring to an extent of 472.75 sq.ft., is in a dilapidated condition situated in a slum



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area, without proper ingress and egress. Therefore, to meet out the obligations enunciated in the terms of the Trust, the property been proposed to be sold.

3. Mr.M.Balachandran, S/o Murugavel and M.Murali, S/o Murugavel, the brothers had offered a sum of Rs.16,00,000/- for the said property which is just and reasonable with the prevailing market price and the location of the property. The first applicant M.N.Ranganathan had filed a proof affidavit where the agreement of sale entered between the trust and M.Balachandran and M.Murali dated 09.03.2024 is marked as Ex.P1. The photocopy of the Aadhar Card of the first and the second applicants are marked as Ex.P2 and Ex.P3.

4. The paper publication inviting objections if any from the public been effected in one issue of Tamil daily “Malai Malar” dated 15.10.2024. The copy of the paper publication is filed along with the affidavit of service.



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The affidavit of Balachandran, the proposed buyer expressing his willingness to purchase the property for a price of Rs.16,00,000/- is filed and taken for consideration. The typed set of papers indicates that the Board of Trustees of Smt.M.D.Yadugiri Ammal and Smt.M.M.C.Alamelu Ammal Trust has convenient their Meeting on 22.01.2024 and they have resolved to sell the schedule mentioned property in the best interest of the Trust and its beneficiaries and use the sale proceeds for innovating the Trust property situated at Old No.5, New No.6, Nachiyappa Chetty Street, Mylapore, Chennai 600 004. The meeting been attended by the President Mr.M.N.Ranganathan, the first applicant; the Secretary Mrs.Rama Ranganathan, the second applicant and Member Trustee Mr.V.S.Gopinath, the third applicant. The Board of Trustees had met on 22.01.2024 and had accepted the proposal given by Mr.M.Balachandran and Mr.M.Murali to purchase the property for a sale consideration of Rs.16,00,000/-. The Minutes of the Board Resolution dated 09.03.2024 indicates that the Trustees have received Rs.5,00,000/- as advance towards the sale



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consideration of the schedule mentioned property.

5. From the records, the Scheme framed by this Court on 14.09.2020 in C.S.No.571 of 2018 indicates that Smt.M.D.Yadugiri Ammal had executed a Will, dated 08.07.1979 creating a corpus as well as religious endowments. On her death the Will has come into effect and this Court has granted probated in favour of the executor of the Will in O.P.No.64 of 1982 vide order dated 18.08.1982. She has bequeathed three properties for the Charitable purposes. Out of which, one of the property at Old No.5, New No.6, Nachiyappa Chetty Street, Mylapore, Chennai 600 004, has already been handed over to Madhava Perumal Temple Devasthanam at Mylapore for performing ritual ,as per the wish of Smt.M.D.Yadugiri Ammal. One of the property at Old Door No.43, New Door No.63, also called as 36-A, Thiruvalluvar Pettai, 1st Street, St.Mary's Road, Raja Annamalaipuram, Chennai, is the subject matter of the application, which is proposed to be sold and to be utilised for the renovation of the other property situated at



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New No.6, Old No.5, Nachiappa Chetty Street, Mylapore, Chennai. The scheme framed by this Court have a composition of five Trustees to administer and manage Smt.M.D.Yadugiri Ammal and Smt.M.M.C.Alamelu Ammal Trust. The applicants 1 to 3, who are the plaintiffs in the scheme suit are the Trustees and besides them, one representative from Mandayam Sri Vaishnavite and the Executive Officer of Madhava Perumal Devasthanam, Mylapore or the Nitya Kalyana Perumal Thirukovil, are the Ex-officio Trustees.

6. Out of the five Trustees, three of them have participated in the Board Meeting held on different dates while the Resolution to sell the property and use the proceeds for the renovation of property at No.6, Old No.5, Nachiappa Chetty Street, Mylapore, Chennai been passed. The applicants have explained and justified the reason to sell the schedule mentioned property and utilise the proceed for renovation of other property of the Trust. The paper publication inviting objections has not been



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responded by any one.

7. In view of the above fact, permission to sell the schedule mentioned property for a sum of Rs.16,00,000/- is granted. Within four weeks after the registration of the sale deed, the certified copy of the sale deed to be filed before this Court along with the statement of receipt of the sale consideration, within a period of nine months from the date of sale. The applicants shall submit the expenditure account for the sale proceeds received.

8. Accordingly, this Application is allowed.

21.11.2024

Index:yes/no
Speaking order/non speaking order
Neutral citation:yes/no
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Pre-delivery Order made in
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21.11.2024