



C.R.P(MD)No.2821 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.03.2024

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

C.R.P(MD)No.2821 of 2023

Thasildar Chelliah Trustees
through its Secretary cum Treasurer
Senthil Thangaraj

... Petitioner

Vs

Nil

... Respondent

Prayer : Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the dismissal order passed in Trust O.P.No.56 of 2019 dated 09.12.2019 on the file of Principal District Judge, Dindigul by allowing this Civil Revision Petition and permit the petitioner to sell the property and utilize the income for the objects of the Trust or otherwise remand back the matter for further enquiry and for production of additional documents to substantiate the claim of the petitioner.

For Petitioner : Mr.J.Alaguraam Jothi



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ORDER

WEB COPY

This Civil Revision Petition is filed to set aside the dismissal order passed in Trust O.P.No.56 of 2019 dated 09.12.2019 on the file of Principal District Judge, Dindigul, by allowing this Civil Revision Petition and permit the petitioner to sell the property and utilize the income for the objects of the Trust or otherwise remand back the matter for further enquiry and for production of additional documents to substantiate the claim of the petitioner.

2. The petition filed by the revision petitioner was dismissed by the trial Court by making the following observations: "*The petitioner states that properties does not yield income from the schedule mentioned property. Therefore, they are finding difficulty to yield the revenue and that to carry out the objectives revenue. Further the petitioner not produced any evidence to show that they are carrying out the activities of the Trust. So in the absence of evidence that the properties does not yield sufficient income, the Court inclines to dismiss the petition.*"

3. Against the order this Civil Revision Petition is preferred stating that without any document to show that the property did not yield any



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income, he come forward with the certified copies of the Adangal enclosed along with the typed set, showing that the above land is not yielding any income. Apart from that he has not produced any Trust Register for the years 2007 to 2022 to show the income and expenditure of the properties. All those things requires proper evidence.

4. For the purpose of producing proper evidence for the claim of the revision petitioner, the matter is remanded back to the file of the Principal District Judge, Dindigul. The petitioner is directed to produce all the documents available with him and after taking into consideration of the documents to be filed by the revision petitioner, the learned Principal District Judge, Dindigul, is directed to dispose the same, on its own merits as expeditiously as possible.

5. With this direction, this Civil Revision Petition is disposed of.

No costs.

12.03.2024

NCC :Yes/No
Index :Yes/No
Internet : Yes/ No
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G.ILANGOVA, J.

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To

- 1.The Principal District Judge, Dindigul.
- 2.The Section Officer, VR Section,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
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