



C.R.P.Nos.1300 and 1301 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2025

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

C.R.P.Nos.1300 & 1301 of 2025

Veeras Trust

Represented by its Trustee V.K.Sidharth

No.A3, 6th Floor, Anna Nagar East,

Chennai – 600 102.

... Petitioner
in both petitions

Vs.

Nil

... Respondent
in both petitions

Prayer in C.R.P.No.1300 of 2025 : Civil Revision Petition filed under Article 227 of the Constitution of India against the impugned order dated 21.01.2025 in I.A.No.3 of 2024 in Trust O.P.No.96 of 2014 on the file of the Principal District Court, Erode.

Prayer in C.R.P.No.1301 of 2025 : Civil Revision Petition filed under Article 227 of the Constitution of India against the impugned order dated 21.01.2025 in I.A.No.4 of 2024 in Trust O.P.No.96 of 2014 on the file of the Principal District Court, Erode.



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For Petitioner : Mr.E.Om Prakash
Senior Counsel
for M/s.R.Moneshaa
in both revision petitions

COMMON ORDER

Challenging the common order of the Principal District Court, Erode, dated 21.01.2025, rejecting the applications in I.A.Nos.3 and 4 of 2024, filed by the petitioner Trust, to condone the delay in filing the documents in time and to accept the deposit receipts in the Nationalised Bank in respect of the amounts deposited by the petitioner Trust, respectively, in order to comply with the orders of the District Court in Trust O.P.No.96 of 2014, the present revision petitions are filed.

2.Brief background of the case is as follows :

The revision petitioner is a Trust which filed an Original Petition in Trust O.P.No.96 of 2014 under the Indian Trusts Act, 1882, for sale of properties of the Trust. In the said petition, it is *inter alia* contended that the properties are not fetching any income and that they are only vacant lands. Therefore, the petitioner sought permission to sell the properties to carry out the objects of the Trust. After considering the evidence produced in the

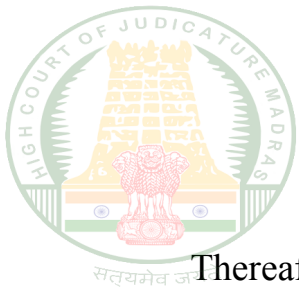


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Original Petition, the District Court, by its order dated 10.03.2015, granted permission to sell the immovable properties of the Trust and also directed that the sale proceeds should be deposited in any of the Nationalised Bank through Court and such amount shall be deposited in long term deposits and the Trust will utilise the interest from such deposits to carry out the objects of the Trust. There was a further direction to submit accounts every six months. It is to be noted that in the said order, while granting direction, no time limit, whatsoever, was fixed by the trial Court.

3. Thereafter, it appears that the present two applications were taken out by the Trust in I.A.Nos.3 and 4 of 2024, one to accept the deposit receipts in respect of the amounts deposited by the Trust in the Nationalised Bank, i.e., Canara Bank and the sale deeds; and the other to condone the delay in filing the documents in time. In the affidavits filed in support of the applications, the petitioner has narrated the reasons for not selling the properties immediately. It the main contention of the Trust that, since there was a delay in obtaining permission under Section 37(B) of the Tamil Nadu Land Reforms Act, 1961, and also due to Covid-19 Pandemic situation, as the purchasers has not come forward, the sale could not be completed.



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Thereafter, they had to sell the properties in different transactions.

Therefore, they sought permission to file all the relevant documents evidencing the sale and also the deposit receipts as directed by the trial Court earlier. However, the said applications have been dismissed by the District Court by a common order which is impugned herein, mainly on the ground that the deposits in the Nationalised Bank have not been made through Court. Challenging the said common order of dismissal, the present revision petitions are filed.

4.Learned Senior Counsel appearing for the revision petitioner Trust would submit that the trial Court has non-suited the applications filed by the petitioner only on the ground that the deposits have not been made through Court.

5.I have perused the entire materials available on record.

6.While granting permission to sell the properties, except the condition that the amount should be deposited in any of the Nationalised Bank through Court, no other stipulation, whatsoever, has been made by the



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Court directing the Trust to sell the properties within a particular time period. The reasons assigned in the affidavit filed in support of the applications filed by the Trust, clearly indicate that the properties could not be sold in a single unit and there were several transactions spanning over a period of time, viz., there were five transactions in the year 2016; and thereafter, the other transactions took place in the years 2022 and 2023. Therefore, as per the permission granted by the Court, sales have been effected. The only mistake done by the Trust is that they have not deposited the amount through Court, whereas, they have deposited the entire consideration directly in Fixed Deposits in a Nationalised Bank. Therefore, this Court is of the view that a slight deviation of not obtaining permission of the Court before depositing the amount in the Nationalised Bank, will not amount to violation of the orders of the Court for the simple reason that, in fact, the Court has directed sale proceeds to be deposited in the Nationalised Bank and that order has rightly been complied with. Further, taking note of the nature of sales made in the year 2016 and thereafter in the years 2022 and 2023, separate orders of Court for depositing the sale proceeds in the Nationalised Bank, in the view of this Court, is not necessary. The direction was to the effect that the entire sale proceeds have to be deposited in a



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Nationalised Bank, so that the Trust could utilise only the interest amount thereafter. It has been substantially complied with by the petitioner Trust. Therefore, the impugned order rejecting the applications filed by the Trust to accept the deposit receipts and sale deeds and to condone the delay in filing all the documents, in the view of this Court, is not proper.

7. Therefore, these Civil Revision Petitions are allowed the impugned common order, dated 21.01.2025, in I.A.Nos.3 and 4 of 2024 in Trust O.P.No.96 of 2014 on the file of the Principal District Court, Erode, is set aside. Consequently, I.A.Nos.3 and 4 of 2024 in Trust O.P.No.96 of 2014 are allowed. No costs.

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Internet : Yes

Index : Yes / No

Speaking order / Nonspeaking order

Neutral Citation : Yes / No

To

The Principal District Judge,
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