



C.R.P.No.2019 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2025

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

C.R.P.No.2019 of 2025

and

C.M.P.Nos.11683 & 11684 of 2025

T.Senthilkumar

... Petitioner

Vs.

1.M/s.RajamaniGovindasamy Trust,
Represented by G.Ramesh, Founder &
Managing Trustee,
No.1, E.K.G.S.Garden 1st Street,
Sripuluvapaaty Ring Road,
No.15, Velampalayam Village,
Tiruppur Taluk & District.

2.G.Ramesh,
Founder & Managing Trustee,
No.1 E, K.G.S.Garden, 1st Street,
Sripuluvapaaty Ring Road,
No.15, Velampalayam Village,
Tiruppur Taluk & District.

3.R.Karthikeyani

4.R.MahaSowndarya

... Respondents



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PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India against the order dated 08.04.2025 passed in Trust O.P.No.42 of 2024 on the file of the Principal District Court, Tiruppur.

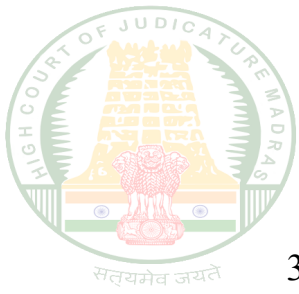
For Petitioner : Mr.S.Hussain Afroze

For R1 to R4 : Mr.U.Chandramohan

ORDER

Challenging the order of the Principal District Court, Tiruppur, dated 08.04.2025, made in O.P.No.42 of 2024, dismissing the application under Section 34 of the Indian Trust Act for sale of the property, the present revision has been filed.

2.The trial Court has dismissed the application mainly on the ground that the 1st petitioner therein, being the charitable trust, a petition under Section 34 of the Indian Trust Act, is not maintainable. Challenging the same, the present revision is filed.



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3.Learned counsel appearing for the revision petitioner would submit that the Division Bench of this Court in the case of ***A.R.R.Charitable Trust [O.P.Nos.211, 252 and 183 of 2023, dated 12.10.2023]***, has held that, as far as public charitable endowment is concerned, only a suit is maintainable under Section 92 of the Code of Civil Procedure.

4.Therefore, the learned counsel for the petitioner seeks liberty to file a suit under Section 92 of the Code of Civil Procedure. The respondents have also filed a counter affidavit stating that they will prosecute a suit under Section 92 of CPC. In such view of the matter, it is well open to the parties to file a suit under Section 92 of the Code of Civil Procedure as indicated in the judgment of the Division Bench of this Court in ***A.R.R.Charitable Trust [O.P.Nos.211, 252 and 183 of 2023, dated 12.10.2023]***.

5.With the above observations, this Civil Revision Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

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N. SATHISH KUMAR, J.

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Internet : Yes
Index : Yes / No
Speaking order / Nonspeaking order
Neutral Citation : Yes / No

To

The Principal Judge,
Tiruppur.

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