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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-09-2025

CORAM

THE HONOURABLE DR.JUSTICE R.N.MANJULA

A NO. 3601 OF 2025

in

CS NO. 246 OF 1930

P. Manish and another
S/o.Late M.Purushothaman, Advocate -
Outgoing Trustee of the Vasudeva
pillai Trust, 1A, D.K.Illam, 2nd Floor,
Rajammal Street, Shenoy Nagar,
Chennai 600 030.

Applicant(s)

Vs

Chennai Magana Karuneegar Sangam
Rep.by its General Secretary

Respondent(s)

For Applicant(s): MR.B. Dhiyaneswaran

For Respondent:

A No. 3601 of 2025

PRAYER

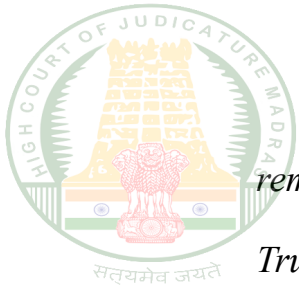


This application is filed under Order XIV Rule 8 of OS.Rules r/w Sec.151 of CPC, praying to reoppint Mr.P.Manish, S/o.M.Purushothaman residing at 1A, D.K.Illam, 2nd Floor, Rajammal Street, Shenoy Nagar, Chennai 600 030.and Mrs.Mangayarkarasi, W/o.Sivaraman, residing at S4, Padmavathy Apts, 54, Vellarar Street, Adambakkam, Chennai 600 088 as a Reappointing Trustees of Vasudeva Pillai Trust, situated at No.23, Thandavan Street, Purusavakkam, Chennai 600 007 for a period of three years from the date of his appointment.

ORDER

The application in [A.No.3601](#) of 2025 has been filed by the erstwhile trustees by name P.Manish and Mrs Mangayarkarasi for seeking themselves to be reappointed for the vacancies in the trustees for the trust that have arisen in view of their completion of their term held in the Trust. The trustees for M/s. Madambakkam Vasudeva Pillai Trust have been appointed only as per the terms of the scheme decree passed on 16.02.1931 in CS. No. 246/1930. As per Clause XV of the terms of the Scheme Decree, the vacancies are to be filled by following the procedure laid down therein. For convenient understanding, the above clause 15 of the scheme decree is extracted as below:

“In the event of vacancy or vacancies arising in the office of the Trustees for any reasons whatsoever, the Court shall appoint other Trustees on the application of any one of the

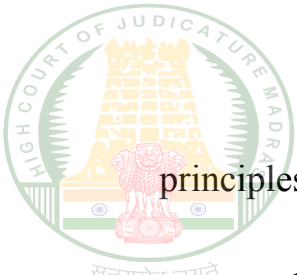


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remaining trustees or on the application of the retiring Trustees or the Secretary for the time being of the Chennai Magana Karuneega Sangam or any two members of the Karuneegar Caste. Notice shall go to the Chennai Magana Karuneegar Sangam, if that body is in existence and its wishes considered. Each Trustees shall hold office for three years from the date of his appointment.”

2. As of now, in these applications, two of the retiring trustees have filed this application seeking reappointment. On notice to the first respondent, the Chennai Magana Karuneegar Sangam has vehemently objected.

3. In the counter of the first respondent, lot of allegations have been made against P.Manish and Mrs.Mangayarkarasi. One of the main allegations is that P. Manish has filed a case against numerous trustees serving as former and functioning trustees and against the Sangam for not providing the Trust documents in the year 2023. During that term, he and four other trustees were in possession of all the documents available with the Trust. It is stated that he has put up a lock at the main entrance of the Trust office, and he did not allow other trustees to perform their functions and he did not act in accordance with the



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principles of democracy by abiding by the majority decisions taken by the trustees; he was joining with the another applicant, Mangaiyarkarasi, to stop the banking operations by the other trustees by dominating the will of the majority.

4. So far as the handling of finance of the Trust is concerned, it can be done only in accordance with the procedure laid down in the Scheme and by the person who is authorised to do so. Even the first respondent, Sangam, had not taken any steps to remove these trustees by name, P. Manish and Mrs Mangayarkaasi, from trusteeship on the allegations now made against them. Whatever may be the case, the trustees who are applicants herein have performed their duties either to the satisfaction or for the dissatisfaction of the first respondent. But they have completed their term. It will not be of any difficulty to re-appoint them, if the first respondent and the other existing trustees give a positive note of their functioning and consider that having them once again as trustees will advance the purpose of and object of the trust.

5. Any retiring trustee who had completed their turn cannot claim re-appointment of their trusteeship as a matter of right. When objections are mounting against them from other quarters, it will not be ideal to have them



once again in the Trust, and the retiring trustees need to give space to new eligible persons to be appointed as trustees.

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In view of the above discussion, the application in [A.No.3601](#) of 2025 stands **dismissed**.

18-09-2025

jrs

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1.Chennai Magana Karuneegar Sangam

Rep.by its General Secretary



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Dr.R.N.MANJULA J.

jrs

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