



C.S.No.220 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 21.01.2025

CORAM:

**THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN**

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1.Chokalal Tejpal Charitable Trust,  
Rep by its Managing Trustee,  
Mr.Ashok Kumar Pengonia.

2.Ashok Kumar Pengonia,  
Managing Trustee,  
Chokalal Tejpal Charitable Trust.

3.Mala Gupta

4.Akash Gupta

5.Gagan Gupta

.. Plaintiffs

Vs.

Nil

.. Defendants

This Civil Suit is filed under Order VII Rule 1 of Civil Procedure Code and Order IV Rule 1 of Original Side Rules, prayed for

permitting the plaintiffs to sell the Trust Property, morefully described in the schedule hereunder to and in favour of the intending purchaser.



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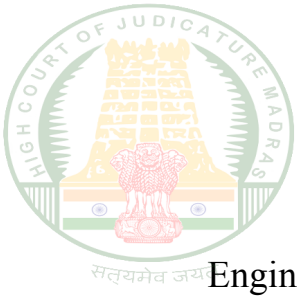
For plaintiff : Mr.E.Senthilkumar  
for M/s.Sampathkumaar  
& Associates

### **JUDGMENT**

The Managing Trustee of Chokalal Tejpal Charitable Trust has filed a suit under IV Rule 1 of Original Side Rules r/w Section 92 (1) C.P.C.

2.For permission to sell the trust property, morefully described in the plaint schedule, the first plaintiff Trust represented by its trustees /plaintiffs 2 to 5 have stated that the suit schedule property was purchased by the Managing Trustee and his wife, under two separate sale deeds and to continue the object of the trust, the said property needs to be sold and the sale proceeds to be utilized for the purchase of a new property/deposit the same in the bank and utilize the interest to fulfill the object of the Trust.

3.Ashok Kumar Pengonia is the Managing Trustee and also the co-purchaser of the property had mounted the witness box and marked seven documents as Exs.P1 & P7. The valuation report given by the



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Engineer is marked as Ex.P5, indicating that the property's worth about Rs.1,34,00,000/-. He has also filed an affidavit stating that the sale proceeds will be deposited in the Bank and the interest arising therefrom will be utilized for fulfilling the object of the Trust.

4.Considering the documents, which show that the property been purchased in the name of the Trust and the Trustees have decided to sell the property to meet out the object of the Trust, the prayer sought to sell the property is allowed.

5.Permission is granted to negotiate with the prospective buyer with the following terms,

(a) Before registering the property, the plaintiffs shall seek permission of this Court for registration and the mode of investment of the sale proceeds to be disclosed.

(b) The said process of selling the property shall be completed within a period of six months.

(c) No registration of the property to be done without the permission of this Court.



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6.The suit is allowed. If the plaintiffs are entitled for any refund of Court fee under the law, same may be considered as per law. Consequently, the connected applications, if any, are also closed. No costs.

**21.01.2025**

Speaking Order / Non-Speaking Order

Index : yes/no

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**Dr.G.JAYACHANDRAN,J.**

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