



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **16.09.2025**

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CORAM:

**THE HONOURABLE DR.JUSTICE ANITA SUMANTH
AND
THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR**

O.S.A.Nos.259, 239, 240 & 241 of 2025

and

C.M.P.Nos.18704, 17674, 17675 & 17681 of 2025

R.Manoj Kumar

.. Appellant
in all OSAs

/Vs./

1.A.Sridevi
2.A.Babu
3.V.Kala
4.Vijayarani
5.Jaya
6.R.Ramya
7.A.Kannan
8.K.Sathyaveni
9.K.Someshwara Rao
10.A.Bharath Rao
11.A.Madhu
12.Rajiv School of Excellence Educational Trust
run by Rajiv Gandhi Educational Trust,
Represented by its Authorised Signatory
No.5/516B, Sakthi Sairam Street,
Ganapathy Nagar, Alapakkam,
Chennai - 600 116.

..Respondents
in all OSAs



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Prayer in O.S.A.No.259 of 2025: Appeal filed under Order XXXVI Rule 9 of O.S. Rules read with Clause 15 of Letters Patent against the order dated 30.07.2025 in O.A.No.444 of 2025 in C.S.No.96 of 2025 on the file of this Court.

Prayer in O.S.A.No.239 of 2025: Appeal filed under Order XXXVI Rule 9 of O.S. Rules read with Clause 15 of Letters Patent against the order dated 07.07.2025 in O.A.No.443 of 2025 in C.S.No.96 of 2025 on the file of this Court.

Prayer in O.S.A.No.240 of 2025: Appeal filed under Order XXXVI Rule 9 of O.S. Rules read with Clause 15 of Letters Patent against the order dated 07.07.2025 in O.A.No.441 of 2025 in C.S.No.96 of 2025 on the file of this Court.

Prayer in O.S.A.No.241 of 2025: Appeal filed under Order XXXVI Rule 9 of O.S. Rules read with Clause 15 of Letters Patent against the order dated 07.07.2025 in O.A.No.444 of 2025 in C.S.No.96 of 2025 on the file of this Court.

(In all OSAs)

For Appellant

:Mr.S.Parthasarathy, Senior Counsel
for Mr.R.Lakshmi Narasimhan

(In all OSAs)

For Respondents

:Mr.R.Thiagarajan,
(for R1 to R4)



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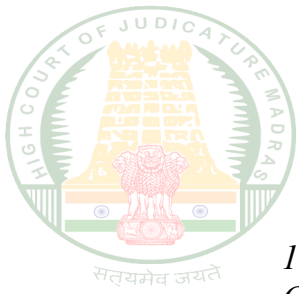
No Appearance
(for R5, R6, R8, R9, R10, R11 & R12)
R7 ? Not ready in Notice.
Mr.S.Kasikumar
(Advocate Receiver)

COMMON ORDER

(Order of the Court was made by **DR.ANITA SUMANTH, J.**)

This matter is listed under the caption 'for being mentioned' at the instance of Advocate Receiver, Mr.S.Kasikumar, who was appointed by the learned Single Judge and whose appointment has been confirmed by us under order dated 21.08.2025.

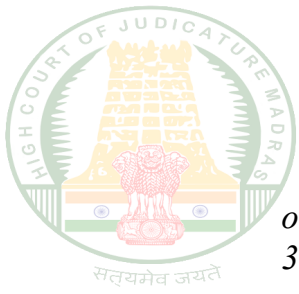
2.The appeals filed by the appellants in O.S.A.Nos.259, 239, 240 & 241 of 2025 were disposed on 21.08.2025 and in para 14, we have directed the appellants to hand over to the Advocate Receiver all records, including bank statements, passwords, and other data in relation to the Rajiv School of Excellence. Thereafter, two memos have been filed by Mr.Kasikumar, one dated 04.09.2025 and the other dated 09.09.2025. These memos are extracted in full below:



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"Memo filed by the Advocate Receiver dated 04.09.2025

- 1. I have been appointed as the Advocate Receiver on 07-07-2025 in O.A Nos. 441 to 444 of 2025 in C.S. No. 96 of 2025.*
- 2. I submit that against the above Order OSA. Nos 239 to 241 of 2025 filed by Mr.R.Manoj Kumar (1st Respondent in OA 444/2025) came up before the Hon'ble Division Bench on 24-07-2025 and the Hon'ble Division Bench refused to grant stay and ordered Notice to R5 to R12 returnable by 21-08-2025.*
- 3. Since there is no stay order passed in OSA No.s 239 to 241 of 2025 by the Hon'ble Division Bench, I tried to take charge as per the Court Order dated 07-07-2025 in OA 444 of 2025 in C.S No. 96 of 2025 on 26-07-2025.*
- 4. When I went to Rajiv School of Excellence at 10:45 AM, and was standing on the road in front of the school, Mr.R.Manoj Kumar(1st Respondent) came from Rajiv School of Excellence and said, "There is no such trust available in the name of Rajiv School of Excellence Educational Trust and there is no existence of above said Trust in the said address".*
- 5. Further that Mr.R.Manoj Kumar gave me an objection letter in front of the school with his counsel, Mrs.Sumithra at 3.20 PM. In his letter, he stated that there is no such trust available in the name of Rajiv School of Excellence Educational Trust run by Rajiv Gandhi Educational Trust and he further stated that there is no such existence of above said trust in the said address.*
- 6. Thus, I was not permitted to enter and take charge by Mr.R.Manoj Kumar. Also I was made to stand on the road for more than an hour and felt embarrassed.*
- 7. Therefore I filed the memo dated 26-07-2025 in OA NO.444 of 2025 before this Hon'ble Court. On 30-07-2025, This Honourable court directed the Administrator to take charge of Rajiv College of Excellence Educational Trust by 04-08-2025 and report the compliance on 05-08-2025.*
- 8. As per this Hon'ble Court Order dated 30.07.2025 in O.A.No. 444 of 2025 in C.S.No. 69 of 2025, I went to the Trust premises on 04.08.2025 and Mr.R.Manoj Kumar Appellant gave me a letter stating that he filed Appeal against the order.*
- 9. The Hon'ble Division Bench has passed the order on 04.08.2025 in CMP.No. 18704 of 2025 in OSA No. 259 of 2025 against the*



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order passed in O.A.No.444 of 2025 in C.S.No. 96 of 2025 on 30.07.2025. The terms of the order as follows:

.."4.While we do not stand in the way of the Receiver to visit the trust premises and acclimatize himself with the affairs of the trust, let this be done in the presence of the trustees. This position shall continue till 21-08-2025"

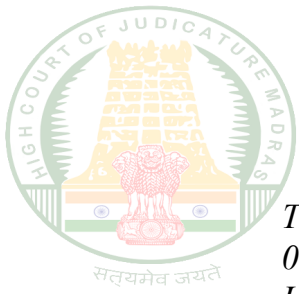
10.The O.A.No.444 of 2025 in CS No.96 of 2025 listed for compliance on 05-08-2025 before this court and passed the following order:

....."6. The conduct of the first respondent in spite of the orders passed by the Hon'ble Division Bench is ex facie contemptuous. Now that the Hon'ble Division Bench has also permitted the learned Advocate Receiver to visit the Trust premises and get acclimatize with the functioning of the Trust, the first respondent shall comply with the orders of the Hon'ble Division Bench dated 04-08-2025 in the true letter and spirit. As the Hon'ble Division Bench is seized of the matter, this Court is of the view that the issue can also be decided by the Hon'ble Division Bench in the intra-court appeal

7. The learned counsels are requested to apprise the Hon'ble Division Bench of the order passed by this Court today."

11. As per the direction of the Honourable court, I am going to the Trust office in Rajiv school of Excellence regularly. During one such visit, I sent a letter to Mr.R.Manoj Kumar and the so called Trustees dated 06-08-2025 to furnish all the documents and Bank details of the Trust. Rajiv College of Excellence Educational Trust has given the xerox copies of the documents such as Rajiv Gandhi Educational Trust deed, Rajiv College of Excellence Educational Trust deed, Rajiv College of Excellence Educational Trust Amendment Deed and Supplemental deed -2 & 3 dated 13-08-2025. But they did not furnish the Bank details of the said Trust.

12. Hence, once again I sent a letter to Mr.R.Manoj Kumar and the so called Trustees on 14-08-2025 in which I asked them to furnish the Bank details of the Trust, movable property, and the rents, issues and profits of the immovable property mentioned in the schedule with the power to get in and collect the outstanding debts and claims due, in respect of the said properties and further Municipal and other public charges due in respect of the Trust as per the Court Order. But there is no response from the Appellant and the so called Trustees till date. Hence I am unable to know the affairs of the said



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Trust as per the orders of the Hon'ble Division Bench order dated 04-08-2025. I filed the memo dated 20-08-2025 before the Honourable Division Bench and stated all the facts.

13. All these OSA. Nos 239, 240, 241, and 259 of 2025 were listed before the Hon'ble Division Bench on 21.08.2025. The Hon'ble Division Bench disposed all the above OSAs and remanded the case to the learned single judge. The learned Senior Counsel appeared for Mr.R.Manoj Kumar (Appellant in OSAs) and has given undertaking that the appellant will hand over everything as per the order to the Advocate Receiver without fail The appellant Mr.R.Manoj Kumar was present in the court.

14. The Honourable Division Bench also modified its earlier order dated 04-08-2025 and directed the Administrator to assume full charge of the Trust and Rajiv School of Excellence. Further, The Hon'ble Division Bench also permitted the appellant to attend the premises of the trust but shall not intervene in the running of the Trust by the Receiver.

15. The appellant did not fully furnishing the Bank details of the Trust, movable property, and the rents, issues and profits of the immovable property mentioned in the schedule with the power to get in and collect the outstanding debts and claims due, in respect of the said properties and further Municipal and other public charges due in respect of the Trust as per the Court Order passed in OAs and OSAs.

16. Appellant Mr.R.Manoj Kumar is coming to the School on daily basis and is giving directions to the School Principal, Teachers and Staffs. This is against the order passed by the Hon'ble Division Bench. Further, he is taking money unofficially from the administrative staffs. Even after the appointment of Advocate Receiver on 07-07-2025 by the learned single Judge, he has taken a sum of Rs.3,55,871 unofficially from the School on July 2025.

17. In the month of August 2025, he has taken money on daily basis about a sum of Rs.2,57,911. The above mentioned amount are paid by the parents as their Children's School fees. I was not aware of the amount received by Mr.R.Manoj Kumar from the office till 29.08.2025 as the administrative staff did not inform me. Due to this, I am unable to pay the salary to the school staffs for the month of August 2025."



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**ADDITIONAL MEMO FILLED BY THE ADVOCATE
RECEIVER DATED 09.09.2025**

1. I already filed memo dated 03-09-2025 may be read as part and parcel of this memo.
2. Mr. R. Manojkumar (Managing Trustee) and Trustees were sent a letter on 28-08-2025 to me regarding the bank account details without mentioning branch name. I have verified with the Banks and found that the Account Numbers are wrongly mentioned in the letter given by Mr. R. Manoj Kumar and the Accountant who is the one of the Trustee. Then, I made an enquiry about it, they have given another letter on 01-09-2025 with the correct account numbers. But they did not provide any details about the debts, ECS, NACH and Cheques linked with the accounts.
3. The details of ECS and NACH are purposely hidden by the Accountant and Trustees from me. The Accountant Mrs. Veeralakshmi is completely colluded with Mr. R. Manoj Kumar and interfering my administration and doing the wrong activities such as hiding the above facts and giving wrong information which is totally against the benefit of the Trust.
4. Mr. R. Manoj Kumar appellant has received the amount of Rs. 3,55,871/- from the Office in July 2025 unofficially, with the help of the accountant and Trustee Mrs. Veeralakshmi, even after the appointment of the Receiver. In the month of August 2025, Mr. R. Manoj Kumar appellant has once again received the amount of Rs. 2,57,911/- from the Office unofficially, with the help of the accountant and Trustee Mrs. Veeralakshmi.
5. I questioned the Accountant regarding the above illegal financial activities and told her "I will make a police complaint against Mr. Manojkumar and you". After a few days Mr. Manoj Kumar returned only the amount taken on 26-08-2025 and 28-08-25. This is purely a violation of Hon'ble High Court Order and complete intervention in the running of the Trust by the Receiver.
6. In the meantime, the student fees which was collected has been purposely deposited by the Accountant Mrs. Veeralakshmi in the A/C 2504201000076 on daily basis. On 06-09-2025, I checked the bank balance of the above mentioned A/C, and came to know that the sum



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of Rs. 3,75,580/- has been debited through NACH (National Automated Clearing House) from it, on 04-09-25. Further I went to the Bank on 06-09-25 and verified that there are many such ECS and NACH linked with the above mentioned Account. The ECS and NACH details as follows:-

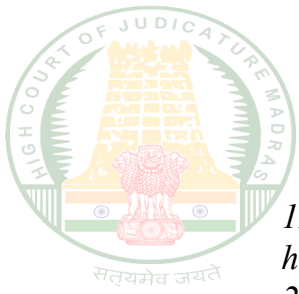
S.N o.	Date of Every Mont of ECS/NACH	To Whom	Amount in Rs.
1	4 th Day	SMFG India Credit Co Ltd	375580
2	4 th Day	UGRO Capital Ltd	500186
3	5 th Day	HDFC	18582
4	5 th Day	Kodak Mahindra Prime Ltd	235331
5	8 th Day	Clix Capital Services Pvt Ltd	977623
6	11 th Day	Mahandra & Mahandra Financial Services	281185
7	19 th Day	BSNL	353
8		Fullerton India Credit Company Ltd	

7. So, I gave a letter to the Canara Bank Manager, in it's branch in Valasaravakkam, asking to stop all the payment in any form from the School A/Cs. I also requested them to destroy the unused cheques.

8. The ECS and NACH linked in the above mentioned A/c are well known by the managing Trustee Mr. R.Manoj Kumar and other Trustees including the Accountant Mrs. Veeralakshmi, but they did not informed me about these facts. The amount deposited from the School is completely withdrawn through ECS and NACH without my knowledge.

9. The amount of Rs.50,311/- is only available as of 09-09-2025. This amount is not sufficient to pay the salary of the Staffs/Teachers in the School.

10. The amount available in another A/c No. 2504214000008 is Rs.2,30,080/- only as of 08-09-2025.



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11. The Managing Trustee Mr. R.Manoj Kumar is also demanding his so called salary, a sum of Rs. 100000/-, from the month of August 2025. But there was no salary paid to him before.

12.The total amount needed to pay the salary is approx..Rs. 8,62,932/-.

13. The total expenses for the month of August is Rs.2,49,427/-. EPF and ESI amount are not included in the total expenses.

14. The total income for the month of August 2025 is Rs. 9,73,815/-.

15.Hence, I stated that the income from the School is not sufficient to run it.

16.On 03-08-2024, Mr. R.Manoj Kumar, Managing Trustee, has mortgaged the School Deed (Survey No. 146/111 in Vanagaram Village measuring to the total extend of 28800 S.ft.) without possession to Clix Capital Services Pvt Ltd The Document No. of the Mortgaged property is 8996/2024. The amount of Mortgage is Rs.42,42,00,000/- (Forty two Crores and forty two Lakhs only).

17. I am not aware of the full information regarding ECS and NACH linked in all the A/Cs maintained in the School These details are not yet given by the Managing Trustee Mr. R.Manoj Kumar and other Trustees as per the Hon'ble Court Order.

18. As I already mentioned, Mr.R.Manoj Kumar is coming to the School daily and interfering with my administration and day to day activities. If I assigned any work to the staffs they are uniformly saying, "I will ask Manoj Kumar sir regarding this and will do according to his instruction". It seems that Mr.R.Manoj Kumar has been giving instruction to the Staff/Teachers that, "You should follow only my instructions since I have appointed you all". This is the violation of the Honourable Court Order and intervening in the administration of the Receiver.

19.There is a vacant land measuring 6 Grounds available in Sakthisairam Street, Ganapathy Nagar, Vanagaram Village. This land has been used as the playground and the parking of the School But, one of the Trustee Mrs. Sahaya Mercy W/O Mr.R.Manoj Kumar came to the School premises on 04-09-2025 and told, "The land belongs to me and it is not linked with the School or Trust".

20.Further, Mrs. Sahaya Mercy directed the school staff des the name of the school painted in the gate of the playground. As per her



direction, the staff destroyed the name using the paint without informing me. She also instructed the school staff to not permit the vehicles of the students and school vehicles for parking. She came to the School premises on 08-09-2025 and argued with me to release this land for her own use without giving any documents even though this land is included in the Order passed on 07-07-2025 in O.A. Nos 441 to 444 of 2025 in C.S.No 96 of 2025.

21. In the meantime, Mr. R.Monaj Kumar, Managing Trustee and the other Trustees Mrs. Sahaya Mercy W/O Mr. R. Manoj Kumar, Mrs. Veeralakshmi and Mr. J.Sivakumar were sitting together in the Chairman's Room and shouted at the Principal Mrs. Dr. Ruth Joseph for working as per my Instructions.

22. Hence I humbly stated that all the Trustees are intervening my daily activities and the administration. So I am unable to run the School smoothly. They did not give the other records, rental income details and rental amount from the properties mentioned in the Order. The current income from the School alone is not sufficient to run the School.

23. A penalty will be applied to the school account if the payment for ECS and NACH is not settled.

24. Therefore, a specific order required from this Hon'ble Court for the Receiver regarding the clearance of all ECS and NACH linked in the School Account by Mr. Manoj Kumar and the Trustees even though there is insufficient money in the School Account.

25. The Managing Trustee Mr. R. Manoj Kumar, appellant did not furnish all the records, details of the rental properties, rental income, ECS and NACH details as per this Hon'ble Court Order dated 21-08-2025 passed in O.S.A Nos 259, 239, 240 and 241 of 2025."

3. Copy of the above memos have been served on the learned counsel for the appellants.

4. We have today heard Mr. Kasikumar, learned Advocate



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Receiver and Mr.R.Lakshmi Narasimhan, learned counsel for the appellants. The latter would submit that he would like to file his objections to the allegations in the memos and he may do so. The objections to the memos be considered by the learned Single Judge as and when the applications are taken up.

5.In light of the allegations made in the aforesaid memos, which touch upon financial impropriety as well as alleged gross interference by the appellants in the discharge of duty by the Advocate Receiver appointed by this Court, the concession granted earlier to the appellants to attend the premises of the trust, stands revoked forthwith. That concession was extended on the express premise that the appellants shall not intervene in the running of the trust by the Advocate Receiver, which faith now stands belied by their actions. In the event it is required, the Advocate Receiver is permitted to approach the jurisdictional police station to obtain police protection to carry out his duties and secure the protection of the college assets.

6.As far as the playground is concerned, we are given to



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understand by the Advocate Receiver that the same has been locked by the wife of one of the persons claiming to be a trustee, on the ground that the land belongs to her. In the interests of the Institution, it is made clear that the playground should be made available to the students of the Institution until further orders of the learned Single Judge.

7.It is also made clear that there not be any encumbrances created on the suit properties by any of the parties to these proceedings until further orders on this account by the learned Single Judge.

[A.S.M.J.] & [N.S.J.]
16.09.2025

NCC :Yes/No
Index :Yes/No
Internet :Yes
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Note: Issue order copy on 17.09.2025



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DR.ANITA SUMANTH, J.
AND
N.SENTHILKUMAR, J

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