Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on : 24-09-2026

Pronounced on: 30.10.2026

CORAM

THE HON'BLE MRS.JUSTICE K. GOVINDARAJAN THILAKAVADI

CS No. 230 of 2025

CNR:{HCMA010912082025}

1. S. Peter

2. Mrs.Kasthuri Bai

..Plaintiffs

Vs

1. Loordhu Ammal Educational Trust,
   Represented by its Trustee,
   Mrs.P.Josephin Rosy,
   1A, Chari Street, North Usman Road, T.Nagar,
   Chennai-600017.

2. Soosaiya Peter Educational Trust,
   Represented by its Trustee,
   Mrs.P.Sandana Mary,
   No.92, Krishna Nagar, Virugambakkam,
   Chennai 600 092.

3. Peter Educational Trust,
   Represented by its Trustee Mrs. P. Roselin
   No.15, Verghese Avenue,
   Ashok Nagar,
   Chennai 600 083.

4. Mrs. Elizabeth Rani

5. P.Josephin Rosy

6. Dr.Roselin Peter

7. Mrs.Mercy Florence Peter

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..Defendants

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Plaint filed under Order IV Rule 1 of O.S. Rules read with Order VII Rule 1 read with Section 92 of Civil Procedure Code, 1908 seeking the following reliefs:

a) to grant permission to transfer the institution Madha Medical College and Research Institute which is presently running under 1st Defendant Trust to 3rd Defendant Trust and to intimate to the respective affiliating bodies, statutory bodies, both in State Government and Central Government for all statutory and affiliations/approvals/recognitions whatsoever obtained/Applied for;

b) to grant permission to transfer the institution Madha Public School and Our Lady Matriculation School which is presently running under 1st Defendant Trust to 2nd Defendant Trust and to intimate to the respective affiliating bodies, statutory bodies, both in state government and central government for all statutory and affiliations/approvals/recognitions whatsoever obtained/Applied for;

c) to grant permission to transfer the institution Madha Dental College, Madha College of Nursing and Madha College of Physiotherapy running under 2nd Defendant Trust to 1st Defendant and to intimate to the respective affiliating bodies, statutory bodies, both in State Government and Central Government for all statutory and affiliations/approvals/recognitions whatsoever obtained/Applied for;

d) to grant permission to GIFT an extent of Acres 06:70½ Cents of lands

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which is presently in the name of the 1st Defendant Trust to 3rd Defendant Trust as mentioned in Item-1 of Schedule of Property;

e) to grant permission to GIFT an extent of Acres 18:58 Cents of lands which is presently in the name of the 2nd Defendant Trust to 1st Defendant Trust;

f) to grant permission to GIFT an extent of Acres 0: 90 1/2 Cents of lands which is presently in the name of the 1st Defendant Trust to 2nd Defendant Trust; and

g) to award costs of the suit.

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For Plaintiffs: Mr. T.R. Rajagopalan, Senior Advocate
for Mr. S.Rajmakesh

For Defendants: Mr. Bhagavath Krishnan for D1
Mr. N. Arul Kumar for D2 and D4
Mr. Gaurav Chatterjee for D3, D5 & D6
Mr. D. Lakshmipathy for D7

Judgment

The plaintiffs have instituted the present suit seeking permission of this Court for reorganisation of the administration of certain educational institutions presently run by the 1st and 2nd defendant Trusts, transfer of the management of the said institutions to the respective defendant Trusts, and transfer of certain

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parcels of immovable properties from one Trust to another, in furtherance of the charitable and educational objects of the Trust.

2. The case of the plaintiffs, in brief, is as follows:

2.1. The 1st plaintiff, Dr. S. Peter is the founder and Chairman of the 1st defendant Trust. The 1st defendant namely, Loordhu Ammal Educational Trust, was constituted under the deed of Trust dated 13.08.1999 and registered as document No. 984/IV of 1999. The trustees of the 1st defendant Trust are Dr.S.Peter, Mrs, P. Santhana Mary, Dr. Josephin Rosy and Dr. Roselin Peter.

2.2. The 1st defendant Trust is associated with various educational institutions. The 2nd defendant, namely, Soosaiya Peter Educational Trust, was constituted under a deed of Trust dated 03.10.1996 and registered as document No. 671/IV of 1996. Its trustees are Dr. S. Peter, Mrs. Kasthuri Bai and Mrs.P.Santhana Mary. The 3rd defendant, namely, Peter Educational Trust, was constituted under the deed of Trust dated 23.03.2019 and registered as document No. 86 / IV of 2019. The trustees of the 3rd defendant Trust are Dr.S.Peter, Mrs. P. Santhana Mary, Dr. P. Josephin Rosy and Dr. Roselin Peter. Madha Medical College and Research Institute is proposed to be administered under the 3rd defendant Trust.

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2.3. According to the plaintiffs, after discussions among the trustees and family members, who have been involved in the administration of the various Educational Institutions, a decision was taken to reorganise the management of the institutions on the basis of the educational qualifications, experience and administrative skills of the respective persons as narrated in the plaint. It is stated that the arrangement was implemented from the year 2019 onwards and that the trustees subsequently resolved to formalise the arrangement and reorganise the institutions under the respective Trust so that each institution could be administered more effectively and its educational standards could be improved.

2.4. According to the plaintiffs, the proposed arrangement is not intended to alter the charitable character or educational object of any of the Trusts. On the contrary, the object is to ensure better administration of the institutions and advancement of education. The proposal was considered by the trustees of the respective Trusts and the terms thereof were reduced into writing in the minutes of meeting dated 25.01.2025, which has been marked as Ex.A4. The plaintiffs therefore seek permission for transfer / reorganisation of the institutions and the identified immovable properties between the defendants Trusts.

2.5. The 1st plaintiff examined himself as P.W.1 and marked Ex.P1 to Ex.P7. The defendants have not opposed the reliefs sought in the suit. There is,

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therefore, no contest as between the parties regarding the proposed reorganisation.

3. In the circumstances, this Court is satisfied that the proposed reorganisation and transfer, would serve the stated educational objects and would not, on the material presently before the Court, amount to diversion of the Trust properties for a private or non charitable purpose. Accordingly, the plaintiffs are entitled to the reliefs sought in the plaint.

4. In the result, the suit is decreed as prayed for. There shall be no order as to costs.

30.10.2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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K.GOVINDARAJAN THILAKAVADI J.

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Pre delivery judgment in
CS No. 230 of 2025

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