



WEB COPY

A No. 4465 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-06-2026

CORAM

THE HON'BLE DR.JUSTICE A.D.MARIA CLETE

A No. 4465 of 2022

O.P.No.647 of 2012

S.Sarvothaman

Adopted son of Late Somasundaram Chettiar,
No.79, 6th Main Road, Mahaveer Nagar,
Pondicherry 605 008.

..Applicant(s)

Vs

1. M/s.N.Selvaradjalu Chetty Trust And 2 Others
And 2 Others
represented by its Chairman, Dr.H.B.N.Shetty,
IAS (retired) No.17, 1st Street, Indra Nagar,
Adyar, Chennai 600 020
2. Mrs.Rasul Beevi
25/1, Saiva Muthiamudali Street,
Chennai 600 001.
3. Mrs.Nahima Begum
28/10, Venkatasamy Street,
Mylapore, Chennai 600 004.

..Respondent(s)

To amend the above O.P.NO.647 of 2012 by inserting the paragraph 11a, 11b, and the genealogy chart in the above petition.

For Applicant(s):

M/s. M. Devaraj And Vijaykumar

For Respondent(s):

Mr.V.Kalyanaraman
for M/s.Aiyar & Dolia for R2 & R3



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ORDER

This application has been filed seeking amendment of the main Original Petition filed under Section 3 of the Charitable and Religious Trusts Act, 1920.

2. The Original Petition was instituted in the year 2012. The relief contemplated under Section 3 of the Act is of a limited and summary nature. The provision enables a person having an interest in a charitable or religious trust to seek directions of the Court for furnishing particulars regarding the nature and objects of the trust, its value, condition, management and application of the trust properties and income, and for examination and audit of the accounts of the trust for a period of three years preceding the date of the application.

3. In the present case, the Original Petition having been filed in the year 2012, the enquiry, if any, would substantially relate to the affairs of the trust during the period immediately preceding the filing of the petition, namely from 2009 to 2012. Admittedly, nearly fourteen years have elapsed thereafter and the Original Petition itself has remained pending.

4. The proceedings under the Charitable and Religious Trusts Act, 1920



are not in the nature of a civil suit involving adjudication of title, status, succession or other disputed civil rights. The scope of enquiry under Section 3 is circumscribed by the statute. The proposed amendment seeks to introduce matters relating to genealogy and other issues which travel beyond the limited scope of the proceedings. Such questions are neither necessary nor relevant for deciding the relief sought in the Original Petition.

5. Further, one of the essential requirements for maintaining an application under Section 3 of the Act is that the applicant should establish that he is a person interested in the trust. Such question has to be examined on the basis of the pleadings already available on record. The proposed amendment, sought after an inordinate delay of about fourteen years, cannot be permitted to enlarge the scope of the proceedings or convert a summary enquiry into a roving investigation on matters foreign to the Act.

6. Having regard to the nature of the proceedings, the extraordinary delay, the stale character of the relief sought in the main petition and the irrelevance of the proposed amendments to the issues arising for consideration, this Court is of the view that the present application lacks bona fides. It appears to have been filed only to protract the proceedings and keep the lis pending indefinitely.



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DR.A.D.MARIA CLETE, J.

DPQ

7. Accordingly, A.No.4465 of 2025 is dismissed with costs of Rs.5,000/-/- (Rupees Five Thousand Only) payable to the 1st Respondent Trust.

22-06-2026

Index: Yes/No
DPQ

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