IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-06-2026

CORAM

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

CS No. 267 of 2025

1. Sri Ramanasramam
   Rep by its Herditary Trsutee and President
   Dr.VenkatS.Ramanan,
   Having its Registered Office at
   Chengam Road,
   Thiruvannamalai
2. Dr.Venkat S.Ramanan
   S/o.Venkatraman Sundara Ramanan,
   Residing at 28/61, Ramana Nagar, 3rd Street,
   Chengam Road, Tiruvannamalai,-606603
   Hereditary Trsutee and President of Sri
   Ramanasramam, Thiruvannamalai

..Plaintiff(s)

Vs

Nil

..Defendant(s)

PRAYER: To pass a Judgment and Decree permitting the 1st plaintiff Trust to sell the property being land of an extent of 1524 square feet with a building thereon measuring about 2500 square feet bearing old door No.25, new door No.6, Sambandham Street, Mandaveli, Chennai – 600028, comprised in O.S.No.272, R.S. No.4116, Mylapore Village, Mylapore Taluk, Chennai District and utilise the sale proceeds for the activities of the 1st plaintiff Trust.

For Plaintiff(s): V.G. Suresh Kumar

For Defendant(s): Nil

JUDGMENT

This suit has been filed under Order IV Rule 1 of the Original Side Rules read with Section 92(1)(f) of the Code of Civil Procedure, praying for a judgment and decree permitting the 1st plaintiff Trust to sell the suit schedule property and to utilise the sale proceeds for the activities of the Trust.

2. The case of the plaintiffs, in brief, is as follows. The 1st plaintiff, Sri Ramanasramam, is a public religious and charitable trust. Its founder, Bhagavan Sri Ramana Maharshi, executed a Will dated 06.03.1938 dedicating his properties at Tiruvannamalai to the deities and providing for their management by a hereditary trustee. By judgment dated 12.12.1959 in A.S.No.522 of 1956, a Division Bench of this Court held that the institution is not a temple but a religious and charitable trust of cosmopolitan character, and that it was a fit case for a scheme under Section 92 of the Code. A scheme was accordingly framed in O.S.No.103 of 1961, dated 29.01.1962, and was thereafter modified through the orders in I.A.No.800 of 1974 and in C.R.P.(NPD) No.1250 of 2008, dated 30.09.2011. The 2nd plaintiff is the Hereditary Trustee and President of the Trust, who presently administers and represents the Trust in these proceedings.

3. The suit schedule property – land measuring 1,524 square feet with a building of about 2,500 square feet thereon, bearing Old Door No.25, New Door No.6, Sambandham Street, Mandaveli, Chennai-600 028, comprised in O.S.No.272, R.S.No.4116, Mylapore Village, Mylapore Taluk, Chennai District – is not part of the Will properties. It came to the 1st plaintiff Trust under a registered Gift Deed dated 06.11.2014 (Document No.3281 of 2014), executed by the donor, Mr. A. Karthikeyan, by which the property was conveyed to the Trust as its absolute owner with all rights of ownership.

4. The plaintiffs state that the suit property is vacant and unoccupied; that it is in the shape of class-rooms and is not put to any effective use by the Trust; that a Ramana Kendram already functions nearby at Mylapore, on account of which it is not worthwhile to modify the property for the use of the Trust; that it is not prudent to expend the funds of the Trust in re-developing the property, which even after re-development cannot be put to any beneficial use; and that, on the other hand, the proceeds of sale can usefully be applied to the various charitable activities of the Trust. The Board of Trustees, while in office, considered these circumstances and, in its meeting held on 23.02.2025, resolved to alienate the property and to utilise the sale proceeds for the activities of the Trust. The extract of the said resolution is

marked as Ex.P8. The plaintiffs further state that the Trust is willing to abide by any terms that this Court may fix for the sale of the property in such manner as deemed fit for the highest possible price.

5. As regards maintainability, a suit by a public charitable trust, or by its trustees, seeking the permission of the Court to sell trust property is maintainable under Section 92(1)(f) of the Code of Civil Procedure, which empowers the Court to authorise the whole or any part of the trust property to be let, sold, mortgaged or exchanged. It is well settled, and has long been the practice on the Original Side of this Court, that such a permission may be sought under Section 92 where a direction of the Court is deemed necessary for the administration of the trust, even in the absence of any allegation of breach of trust. Leave to institute the suit was granted in Application No.5006 of 2025. The suit is, therefore, maintainable.

6. In compliance with the order of this Court dated 24.11.2025, the plaintiffs took public notice through paper publication, intimating that the suit had been filed to sell the property and calling upon any objector to appear before the Court. The publication was effected in the Tamil daily "Dinamalar" on 09.12.2025 and in the English daily "The Hindu" on 08.12.2025. By order dated 19.12.2025, this Court

recorded that the paper publication had been effected and that there were no objectors.

7. On the side of the plaintiffs, the 2nd plaintiff was examined as PW-1 and his proof affidavit was treated as his chief examination. Exhibits P1 to P9 were marked. There being no contesting party, the evidence of PW-1 remains unchallenged. Ex.P8 is the extract of the Board resolution dated 23.02.2025; and Ex.P9 is the valuation report dated 12.07.2025 of the Chartered Engineer and approved valuer, which assesses the present market value of the suit property at Rs.3,95,00,000/- (Rupees Three Crores Ninety Five Lakhs only).

8. The following points arise for consideration:

i. Whether the plaintiffs have made out a case for the grant of permission to sell the suit schedule trust property?

ii. To what reliefs are the plaintiffs entitled?

9. Point Nos. (i) and (ii):

The 1st plaintiff is a public religious and charitable trust. Its charitable character is not in doubt; it stands established by the judgment of the Division Bench in A.S.No.522 of 1956 dated 12.12.1959 (Ex.P3), which held the institution to be a religious and charitable trust of cosmopolitan character and a fit case for a scheme under Section 92 of the Code, and by the scheme thereafter framed and modified (Ex.P4 and Ex.P5).

10. The suit schedule property belongs to the 1st plaintiff Trust. The Trust acquired it under Ex.P6 Gift Deed dated 06.11.2014, by which the donor conveyed the property to the Trust as its absolute owner, and Ex.P7 is the encumbrance certificate for the period from 01.01.2010 to 17.07.2025, which is consistent with the Trust's ownership of the property. As the property vests absolutely in the Trust, no separate consent of the donor is required for its alienation.

11. The plaint averments and the evidence of PW-1 establish that the property is presently vacant and of no beneficial use to the Trust, that it is not prudent to expend the funds of the Trust in developing it, and that the proceeds of sale would be more usefully applied to the charitable objects of the Trust. The Board of Trustees, considering these circumstances, has resolved upon the sale by its resolution dated 23.02.2025 (Ex.P8).

12. Ex.P9 valuation report fixes the present market value of the property at Rs.3,95,00,000/-. The evidence of PW-1 remains unchallenged. Paper publication was effected as directed by this Court, and no objection was received from any quarter.

13. On a consideration of the plaint averments, the unchallenged evidence of PW-1 and Exhibits P1 to P9, this Court is satisfied that the proposed sale of the suit schedule property is in the interest of the 1st plaintiff Trust and is intended for the better fulfilment of its charitable objects. The reasons disclosed reveal a genuine necessity for the alienation of the trust property, and the Board of Trustees has resolved upon the sale. This Court, therefore, finds no impediment in principle to granting permission to sell the suit schedule property.

14. At the same time, in a suit under Section 92 of the Code, the Court should not ordinarily grant a blanket or unrestricted permission to alienate trust property. Even where the necessity for sale is accepted, the Court, as parens patriae of the public trust, must ensure that the trust property is sold in a transparent manner and for the best available price. In the present case, the value assessed in Ex.P9 (Rs.22,500/- per square foot for the land) is only marginally above the Sub-

Registrar's guideline value (Rs.20,000/- per square foot) noted in the report itself, whereas the Trust's own resolution (Ex.P8) records that the property could fetch between Rs.3.5 crores and Rs.4.5 crores. Further, the plaint does not disclose the particulars of any proposed purchaser, the sale consideration, the upset price, or the mode by which the property is proposed to be sold. In the absence of such particulars, this Court is not inclined to grant an unconditional or blanket permission to alienate the trust property.

15. Accordingly, the suit is decreed in part and permission is granted in principle to the trustees to proceed with the proposal for the sale of the suit schedule property, subject to the following conditions:

(i) The property shall not be sold by private negotiation without the prior approval of this Court;

(ii) The trustees shall place before this Court the proposed mode of sale, the upset price fixed on the basis of the valuation report (Ex.P9) and not below the value assessed therein, and the particulars of the proposed purchaser, if any;

(iii) The actual sale shall be effected only after obtaining further orders of this Court approving the sale consideration and the other terms and conditions;

(iv) The sale proceeds shall be utilised only for the purposes stated in the affidavit and in accordance with the objects of the 1st plaintiff Trust.

16. With the above directions, the suit stands decreed. There shall be no order as to costs. Consequently, connected applications if any, stand closed.

23-06-2026

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

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List of Witnesses examined on the side of the petitioner(s):

PW1 – Mr.Venkat S.Raman

List of Documents marked on the side of the petitioner(s):

Ex.P.1 is the certified copy of the Will executed by Bhagwan Sri Ramana Maharishi dated 06.03.1938.

Ex.P.2 is the online copy of the death certificate (Date of death 14.04.1959) of Bhagwan Sri Ramana Maharishi dated 29.12.2025.

Ex.P.3 is the Downloaded copy of Judgment in A.S.No.522 of 1956.

Ex.P.4 is the photocopy of order made in I.A. No. 800 of 1974 – in the court of Subordinate Judge, Vellore dated 21.04.2006.

Ex.P.5 is the certified copy of order made in CRP (NPD) No. 1250 of 2008 dated 30.09.2011

Ex.P.6 is the photocopy of the certified copy of the gift deed executed by A.Karthikeyan in favour of 1st plaintiff trust dated 06.11.2014.

Ex.P.7 is the downloaded copy of the certificate of encumbrance for the period from 01.01.2010 to 17.07.2025 dated 21.07.2025.

Ex.P.8 is the original extract of the minutes of the meeting dated 23.02.2025.

Ex.P.9 is the original valuation report given by Er.P.Anbarasan, Chartered Engineer and Approved Valuer dated 12.07.2025.

23.06.2026

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DR.A.D.MARIA CLETE, J.

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