Order QR

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-10-2026

CORAM

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

C.R.P.No.6797 of 2026

CNR:{HCMA012567382026}

and

C.M.P.No.29245 of 2026

M/s.Vyasa Sankara Paripoorna Sayee
Dhatathreya Vidya Trust
Rep.by its Managing Trust
Paripoorna Kirbakara Sarma
S/o.Sri Ramaswamy @ Chellappa
47 A, Krishnapuram Maharajnagar Post
Tirunelveli - 627 011.

..Petitioner(s)

Vs

1. Ashok Kumar
   S/o.Chellappa

2. Suruthi Sairam
   S/o.Anandhakumar

3. P.Muthulakshmi
   W/o.S.Palvannasundaram

.. Respondent(s)

Prayer : Civil Revision Petition filed under Section 227 of the Constitution of India, to set aside the impugned directions in points (3), (4), (5) and (7) of the Decree dated 31.08.2026 made in O.S.No.1418 of 2025 on the file of the Principal District Judge, Coimbatore.

https://www.mhc.tn.gov.in/judis

WEB COPY

For Petitioner(s): Mr.S.Abhijeet Krishna

O R D E R

This Civil Revision Petition has been filed challenging the judgment and decree dated 31.08.2026 passed by the learned Principal District Judge, Coimbatore, in O.S.No.1418 of 2025

2. According to the petitioner/plaintiff, the petitioner is a Public Charitable Trust established under a Deed of Trust dated 17.06.2004. One Paripoorna Kribakara Sarma was appointed as the Managing Trustee, Mrs.Sowmya Narayanan was appointed as a Trustee, and the author, Mrs.Meenakshi, was appointed as another Trustee. The petitioner Trust has been granted exemption under Section 80G of the Income Tax Act. It is also assessed to Income Tax, and its accounts are audited by a qualified Chartered Accountant.

3. While so, the petitioner, along with respondents 1 and 2, instituted a suit in O.S.No.1418 of 2025 on the file of the Principal District Court, Coimbatore, seeking permission to sell the suit schedule properties belonging to the petitioner Trust to the defendant/third respondent herein, namely, P.Muthulakshmi, for a sale consideration of Rs.48,00,000/-. The suit was

https://www.mhc.tn.gov.in/judis

WEB COPY

instituted seeking the Court's permission to execute the sale deed, and a paper publication was also effected in this regard. While allowing the suit, the Court below imposed certain conditions. Aggrieved by the conditions (iii), (iv), (v) and (vii) imposed by the Court below, the present revision has been filed. The said conditions are reads as follows :

> "(iii) The deposit receipt should be obtained in the name of the Principal District Judge, Coimbatore, on behalf of the 1st plaintiff Trust and the same should be submitted to this Court.
>
> (iv) The sale deed shall contain the recital of the fixed deposit made by the 1st plaintiff Trust and the sale process shall be completed within six months from the date of this order.
>
> (v) The 1st plaintiff Trust is directed to submit the copy of the sale deed to this Court, within 30 days from the date of sale deed.
>
> (vii) The 1st plaintiff Trust shall maintain true and proper account of the sale proceeds."

4. The learned counsel for the petitioner submitted that, once permission to sell the properties of the Public Charitable Trust had been granted by the Court, the imposition of the aforesaid conditions was onerous and unwarranted.

https://www.mhc.tn.gov.in/judis

WEB COPY

It was further submitted that, since the third respondent, the proposed purchaser, is a private individual, the conditions imposed by the Court below in the judgment and decree dated 31.08.2026 were unnecessary and liable to be set aside.

5. This Court, upon considering the submissions made by the learned counsel for the petitioner and the nature of the conditions imposed by the Court below, is of the view that the conditions impugned in this Civil Revision Petition warrant reconsideration. Accordingly, the conditions (iii), (iv), (v) and (vii) imposed in the judgment and decree dated 31.08.2026, passed in O.S.No.1418 of 2025 on the file of the Principal District Judge, Coimbatore, are set aside. Accordingly, this Civil Revision Petition is allowed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

23-10-2026

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

To

The Principal District Judge,
Coimbatore.

https://www.mhc.tn.gov.in/judis

WEB COPY

N.SENTHILKUMAR J.

ms/cgi

C.R.P.No.6797 of 2026
and
C.M.P.No.29245 of 2026

23-10-2026

https://www.mhc.tn.gov.in/judis

WEB COPY

C.R.P. No. 6797 of 2026 and
CMP No.29245 of 2026

N. SENTHILKUMAR, J.

1. Today, the matter is listed under the caption "For Being Mentioned".

2. The learned counsel for the petitioner pointed out that Conditions Nos. 3, 4, 5 and 7, which were intended to be set aside by this Court, pertain to the order passed in the decree. However, due to an inadvertent error, Conditions Nos. 3, 4, 5 and 7 imposed in the judgment were ordered to be set aside instead.

3. The Registry is directed to delete the conditions mentioned in paragraph 3 of the order passed in C.R.P. No.6797 of 2026 and substitute the same with the following:

3.----. The said conditions are reads as follows:

> "(3) That the 1st plaintiff Trust be and is hereby directed to deposit the sale consideration of Rs.48,00,000/- (Rupees Forty Eight Lakhs only) in any one of the Nationalized Bank in the name of the Principal District Judge, Coimbatore, on behalf of the 1st plaintiff Trust, initially for a period of 12 months, and thereafter renewable periodically.
>
> (4) That the deposit receipt should be obtained in the name of the Principal District Judge, Coimbatore, on behalf of the 1st plaintiff Trust and the same should be submitted to this Court.
>
> (5) That the sale deed shall contain the recital of the fixed deposit

https://www.mhc.tn.gov.in/judis

WEB COPY

made by the 1st Plaintiff Trust and the sale process shall be completed within six months from the date of this order.

(7) That the 1st Plaintiff Trust be and is hereby permitted to withdraw the accrued interest once in six months from the bank directly, for implementing the objects of the Trust."

4. The Registry is directed to carry out necessary corrections as stated above and issue order copy afresh forthwith.

30.10.2026

bga

https://www.mhc.tn.gov.in/judis

WEB COPY

N. SENTHILKUMAR, J.

bga

C.R.P. No. 6797 of 2026 and
CMP No.29245 of 2026

30.10.2026

https://www.mhc.tn.gov.in/judis