

IN THE COURT OF PRINCIPAL DISTRICT JUDGE, DINDIGUL

**Present : Tmt.A.MUTHUSARATHA, B.L., P.G.D.P.M.,
Principal District Judge, Dindigul.**

Monday, the 6th day of April 2026

Trust O.S.No.130 of 2026

Maharishi Educational Trust represented by its
Managing Trustee Mr.D.Kothaiselvan, Dindigul

.....

Plaintiff

Vs.

NIL

... Defendant

This suit came up before me on this day 30.03.2026 in the presence of Tvl. A.Sathasivam, I.Sriitharan and K.Prabhakaran, Advocates for the plaintiff and on perusal of records, on hearing the arguments of the plaintiff side and having stood over for consideration till this day, this court thus passed the following....

J U D G E M E N T

The Trust Original PLAINT is filed under Order VII Rule 1 to 6 and sec.92 of CPC seeking permission to sell the schedule mentioned 1 to 79 items of Trust properties and permit the plaintiff to utilize the entire sale consideration for the development and improvement of infrastructure of the schools administered by the Trust by allowing the suit.

2) The averments of the plaint in a brief:

(i) The plaintiff trust was established on 25.10.1996 registered with Joint 1 Sub-Registrar Office, Dindigul in Doc.No.132/1996 for the purpose of promoting

education, establishing, administering, developing schools and other educational institutions. Thiru.D.Kothaiselvan was appointed as founder and Managing Trustee and the administration of the Trust provided through a Board of Trustees headed by the Managing Trustee. The first amendment dated 09.08.2006 in Doc.No.243/2006 registered with Joint 1 Sub-Registrar Office, Dindigul incorporated statutory compliance provisions including maintenance of accounts, compulsory annual audit, investment of funds in accordance with IT Act, prohibition on distributions of profits to trustees and provisions relating to dissolution and application of funds strictly for charitable purposes. The second amendment dated 01.07.2010 registered as Doc.No.570/2010 modified the composition of Board of Trustees. The third amendment dated 13.08.2015 in Doc.No.86/2015 recorded the resignation of Prof.P.Somasundaram from trusteeship from 10.06.2015. The fourth amendment dated 07.06.2017 shifted the registered office from Dindigul to Chennai and then it was restored to Dindigul by a resolution dated 28.11.2025 and presently the Trust is functioning from Dindigul.

(ii) As per the Trust deed with its subsequent amendments, the Trust is vested with full powers to acquire, purchase, sell, lease, mortgage or otherwise deal with its movable and immovable properties whenever necessary or beneficial for advancement of its charitable objects by authorising its trustees. The primary object of the Trust include establishing and running schools, developing educational institutions, constructing and improving school infrastructure and promoting

educational and charitable activities for the benefits of students in various Districts and at present the Trust is administered by Mr.D.Kothaiselvan as Managing Trustee, Mrs.K.Nalini as Trustee in accordance with Trust deed. The Trust owns several movable and immovable properties in various Districts as described in the schedule of properties in the plaint.

(iii) The plaintiff trust is administering educational institutions Including Maharishi Bala Mandir (KG), Shri Maharishi Vidya Mandir (Junior and High School) which have been functioning for nearly three decades. On 28.11.2025 in the Board meeting of the trust it is resolved unanimously that prioritise infrastructure development works to improve educational quality, student facilities and overall growth. On 28.12.2025 in the Board meeting it is unanimously resolved that developing separate modern laboratories, library facilities by renovating three existing halls, painting, vinyl flooring, smart boards, lab furniture, equipments, storage facilities, internet and networking infrastructure and further construction of Basketball court, Tennis Court, Cricket Net Practice facilities etc., in the Junior and High School and also develop a safe play area, install new play equipments, carry out child safety improvements, renovation of class rooms, common areas, replacement of damaged electrical and plumbing systems, sanitation and safety improvements, digital learning infrastructure etc., in the Kindergarten school. To fulfill the above said objects, the Trust does not have sufficient liquid funds. It is absolutely necessary to mobilize the funds for development works. Therefore, it is unanimously resolved

that certain schedule of Trust properties which are not required for immediate purpose may be sold to raise funds for development of infrastructure works. The proposed sale is bonafide and beneficial to the Trust and not intended for any personal gain or benefit of the Managing Trustee. The Trust undertakes to conduct the sale in a transparent manner, fair market value, and the sale proceeds shall be deposited in a nationalised bank and applied solely for the development of school infrastructure in furtherance of the charitable objects of the Trust.

(iv) Therefore, it is prayed that the plaintiff Trust may be permitted to sell the suit properties to any of the purchaser who offered for market price and to utilize the sale consideration exclusively for the development and improvement of infrastructure of the schools administered by the Trust by allowing the suit.

3) After the plaint was taken on file, this court has ordered for issuing notice to proclaim by beating of Tom Tom in the native village and by affixture of notice in the village chavadi and publication in one issue of Daily Newspaper and the same were effected. No objector has turned up and no objection has been received.

4) On plaintiff side, the Managing Trustee Thiru.Kothaiselvan was examined as P.W.1 and the 34 documents were marked as Ex.A1 to Ex.A.34. There is no defendant in this suit. Plaintiff side heard. Deposition and documents perused.

5) The issue for consideration is Whether the suit has to be allowed as prayed for ?

6) Answer to the issue :-

The counsel for the plaintiff argued that the plaintiff trust was established on 25.10.1996 for the purpose of promoting education, establishing, administering, developing schools and other educational institutions. Thiru.D.Kothaiselvan was appointed as founder and Managing Trustee and the administration of the Trust provided through a Board of Trustees headed by the Managing Trustee, further it is incorporated statutory compliance provisions including maintenance of accounts, compulsory annual audit, investment of funds in accordance with IT Act, prohibition on distributions of profits to trustees and provisions relating to dissolution and application of funds strictly for charitable purposes, and further modified the composition of Board of Trustees and then recorded the resignation of Prof.P.Somasundaram from trusteeship from 10.06.2015, further shifted the registered office from Dindigul to Chennai and then it was restored to Dindigul by a resolution dated 28.11.2025 and presently the Trust is functioning from Dindigul, as per the Trust deed with its subsequent amendments, the Trust is vested with full powers to acquire, purchase, sell, lease, mortgage or otherwise deal with its movable and immovable properties whenever necessary or beneficial for advancement of its charitable objects by authorising its trustees. The primary object of the Trust include establishing and running schools, developing educational institutions, constructing and improving school infrastructure and

promoting educational and charitable activities for the benefits of students in various Districts and at present the Trust is administered by Mr.D.Kothaiselvan as Managing Trustee, Mrs.K.Nalini as Trustee in accordance with Trust deed, the plaintiff trust is administering educational institutions Including Maharishi Bala Mandir (KG), Shri Maharishi Vidya Mandir (Junior and High School) which have been functioning for nearly three decades, on 28.11.2025 in the Board meeting of the trust it is resolved unanimously that prioritise infrastructure development works to improve educational quality, student facilities and overall growth, on 28.12.2025 in the Board meeting it is unanimously resolved that developing separate modern laboratories, library facilities by renovating three existing halls, painting, vinyl flooring, smart boards, lab furniture, equipments, storage facilities, internet and networking infrastructure and further construction of Basketball court, Tennis Court, Cricket Net Practice facilities etc., in the Junior and High School and also develop a safe play area, install new play equipments, carry out child safety improvements, renovation of class rooms, common areas, replacement of damaged electrical and plumbing systems, sanitation and safety improvements, digital learning infrastructure etc., in the Kindergarten school, to fulfill these objects, the Trust does not have sufficient liquid funds therefore, it is unanimously resolved that certain schedule of Trust properties which are not required for immediate purpose may be sold to raise funds for development of infrastructure works, the proposed sale is bonafide and beneficial to the Trust and not intended for any personal gain or benefit of the Managing Trustee, the Trust undertakes to conduct the sale in a transparent manner, fair market value, and the sale proceeds shall be

deposited in a nationalised bank and applied solely for the development of school infrastructure in furtherance of the charitable objects of the Trust, therefore, it is prayed that the plaintiff Trust may be permitted to sell the suit properties to any of the purchaser who offered for market price and to utilize the sale consideration exclusively for the development and improvement of infrastructure of the schools administered by the Trust by allowing the suit.

7) On the side of plaintiff the Managing Trustee Mr.Kothaiselvan was examined as PW 1 and he deposed all along the averments of the plaint and marked through him the Ex.A1 to Ex.A.34. The registered Trust deed and subsequent amendments for the Trust deed copies of the registered deeds are marked as Ex. A1 to Ex.A.5. According to the Trust deed it is constituted for the purpose of promoting education, establishing, administering, developing schools and other educational institutions. Thiru.D.Kothaiselvan was appointed as founder and Managing Trustee and the administration of the Trust provided through a Board of Trustees headed by the Managing Trustee. On subsequent amendments made on 09.08.2006, 01.07.2010, 13.08.2015, and 07.06.2017 i.e., Ex.A2 to A5, it is incorporated statutory compliance provisions including maintenance of accounts, compulsory annual audit, investment of funds in accordance with IT Act, prohibition on distributions of profits to trustees and provisions relating to dissolution and application of funds strictly for charitable purposes, and further modified the composition of Board of Trustees and then recorded the resignation of

Prof.P.Somasundaram from trusteeship from 10.06.2015, further shifted the registered office from Dindigul to Chennai and then it was restored to Dindigul by a resolution dated 28.11.2025 and presently the Trust is functioning in Dindigul. As per Ex.A6 and A 7 the resolutions were passed for developing separate modern laboratories, library facilities by renovating three existing halls, painting, vinyl flooring, smart boards, lab furniture, equipments, storage facilities, internet and networking infrastructure and further construction of Basketball court, Tennis Court, Cricket Net Practice facilities etc., in the Junior and High School and also develop a safe play area, install new play equipments, carry out child safety improvements, renovation of class rooms, common areas, replacement of damaged electrical and plumbing systems, sanitation and safety improvements, digital learning infrastructure etc., in the Kindergarten school, to fulfill these objects, the Trust does not have sufficient liquid funds therefore, it is unanimously resolved that certain schedule of Trust properties which are not required for immediate purpose may be sold to raise funds for development of infrastructure works, the proposed sale is bonafide and beneficial to the Trust. As per Ex.A 8 to A34 it is found that on various dates the suit scheduled Trust properties were purchased by the Trust and the copies of the sale deeds are marked.

8) The plaintiff states that the properties are under utilized and not required for immediate purpose so that they may be sold for the purpose of raising funds exclusively for development of the infrastructure of the schools administered by the Trust. The resolution authorizes the Managing Trustee to approach Court

seeking permission for sale of such properties and to undertake the entire sale process shall be utilized strictly and exclusively for the educational infrastructure of the trust institutions. Without any immediate income from the suit scheduled the trust properties, the trust could not reach its objectives to give education to all. Hence, the plaintiff filed this suit to grant permission to sell the properties of the trust for the alternate purpose to invest the sale proceeds or in the purchase of some other income yielding properties or in bank deposits. On perusal of records entirely, this court come to the conclusion that the request considered and be permitted to sell the suit schedule properties for the purpose to reach the objectives of the trust. Therefore to complete the object of the trust, the court inclines to allow the suit and answered to the point accordingly.

In the result, this suit is allowed and permitting the plaintiff Trust to sell the suit schedule properties for the purpose to reach the objectives of the trust, the sale proceeds to be invested for the development and improvement of infrastructure of the schools administered by the trust and utilized the income for the trust.

Dictated to the shorthand writer computerized by her directly, corrected, signed and pronounced by me in open court, on this the 6th day of April 2026.

**Principal District Judge,
Dindigul.**

Annexure :**Plaintiff side witness:**

P.W.1 – Thiru Kothaiselvan

Plaintiff's side documents:

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| Ex.A.1 | 25.10.1996 | Xerox copy of Trust deed |
| Ex.A.2 | 9.8.2006 | Xerox copy of First Amendment Trust deed |
| Ex.A.3 | 1.7.2010 | Xerox copy of Second Amendment Trust deed |
| Ex.A.4 | 13.8.2015 | Xerox copy of Third Amendment Trust deed |
| Ex.A.5 | 7.6.2017 | Xerox copy of Fourth Amendment Trust deed |
| Ex.A.6 | 28.11.2025 | Resolution of the Board of Trustees |
| Ex.A.7 | 28.12.2025 | Resolution of the Board of Trustees |
| Ex.A.8 | 15.09.2005 | Xerox copy of sale deed executed by M.P. Pitchaimuthupillai and others in favour of plaintiff trust |
| Ex.A.9 | 12.05.2006 | Xerox copy of sale deed executed by C.T. Thirunavukarasu in favour of plaintiff trust |
| Ex.A.10 | 15.09.2005 | Certified Xerox copy of sale deed executed by M. Muthulakshmi in favour of plaintiff trust |
| Ex.A.11 | 16.05.2007 | Certified Xerox copy of sale deed executed by Seetharaman in favour of plaintiff trust |
| Ex.A.12 | 26.05.2008 | Xerox copy of sale deed executed by Amaravathi in favour of plaintiff trust |
| Ex.A.13 | 13.05.2010 | Xerox copy of sale deed executed by Shajitha begum in favour of plaintiff trust |
| Ex.A.14 | 13.05.2010 | Xerox copy of sale deed executed by Shajitha begum in favour of plaintiff trust |
| Ex.A.15 | 27.05.2010 | Xerox copy of sale deed executed by N.K. Mohammed and Mahaboof Thoula in favour of plaintiff trust |
| Ex.A.16 | 16.03.2011 | Xerox copy of sale deed executed by Kattayan @ Muthu, Perumayee and Inbasekar in favour of plaintiff trust |
| Ex.A.17 | 23.05.2011 | Xerox copy of sale deed executed by Mayandi in |

favour of plaintiff trust

- Ex.A18 21.03.2012 Xerox copy of sale deed executed by Karunakaran, Rajapandi and Jeevitha in favour of plaintiff trust
- Ex.A19 21.09.2012 Certified Xerox copy of sale deed executed by T.M.G. Ayyasamy in favour of plaintiff trust
- Ex.A20 22.01.2013 Xerox copy of sale deed executed by Ramayee and Muthurathinam in favour of plaintiff trust
- Ex.A21 10.05.2013 Xerox copy of sale deed executed by Arumugam in favour of plaintiff trust
- E.A22 10.05.2013 Xerox copy of sale deed executed by Arumugam in favour of plaintiff trust
- Ex.A23 02.07.2014 Xerox copy of sale deed executed by Lakshmi Atchi in favour of plaintiff trust
- Ex.A24 18.02.2015 Xerox copy of sale deed executed by M/s. Maansarovar Foundation in favour of the plaintiff trust
- Ex.A25 20.02.2015 Xerox copy of sale deed executed by M/s. Maansarovar Foundation in favour of the plaintiff trust
- Ex.A26 09.04.2015 Xerox copy of sale deed executed by Dharanidharan in favour of the plaintiff trust
- Ex.A27 15.10.2015 Xerox copy of sale deed executed by P. Nagarajan in favour of the plaintiff trust
- Ex.A28 19.10.2015 Xerox copy of sale deed executed by Baskar Ponnambalam and Dhanalakshmi in favour of the plaintiff trust
- Ex.A29 06.11.2015 Certified Xerox copy of sale deed executed by Vinayaga Gowri in favour of the plaintiff trust
- Ex.A30 29.01.2016 Xerox copy of sale deed executed by Srihariharan power agent of J. Jayasankar, J. Chandrasekar and J. Vishnupriya in favour of the plaintiff trust
- Ex.A31 18.03.2016 Xerox copy of sale deed executed by Veerasamy and 14 others in favour of the plaintiff trust
- Ex.A32 10.04.2017 Xerox copy of sale deed executed by Nagarathinam and 4 others in favour of the plaintiff trust
- Ex.A33 13.04.2017 Xerox copy of sale deed executed by Nagarathinam and 4 others in favour of the plaintiff trust

Ex.A34 29.06.2017 Xerox copy of sale deed executed by S. Natarajan
in favour of the plaintiff trust

**P.D.J.,
Dindigul.**

Principal District Court, Dindigul

Trust.O.S. No.130/2026

Draft /Fair Judgement

Dt: 06.04.2026