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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-01-2026

CORAM

THE HONOURABLE DR.JUSTICE R.N.MANJULA

A Nos. 5172, 5173, 5176, 5177, 2671, 2672 & 2673 of 2025
IN
CS NO. 204 OF 1915

Mrs.R.Adhilakshmi
W/o.Rajendran, D/o.Late
C.J.Radhakrishnan, No.1/242,
Shanmuga Nagar, Karanodai,
Sholavaram, Chennai 600 067.
(Appointed as Managing Trustee of
Caku Jaliah Naidu Charities by this
Honble Court in A.No.9846 of 2018
dated 27/02/2019)

Applicant(s) in all the applications

Vs

Mr.A.Abuthahir
S/o.Akhar Ali,
Door No.107/62,
S-1, 2nd Floor,
Buchi Babu Street,
Triplicane, Chennai 600 005. … Respondent in A.No.5172/2025

Mr.S.Jamal Mohideen,
S/o. Shahul Hameed,
Door No.2A, 2nd Floor, Real Abode Apartment,
15, Thambusamy Road, Kilpauk,
Chennai – 600 010.
... Respondent in A.Nos.5173, 2671, 2672 & 2673/2025

Mr.Anvar Ali,
S/o. SNZ Ibrahim,
10/4, Muktharunnisa Begum Street,
1st Lane, Ellis Road, Anna Salai,
Chennai – 600 002. … Respondent in A.No.5176/2025

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Mr.Abdul Rafi
S/o. Allah Bakash,
No.137, Nainian Street,
Egmore, Chennai – 600 008. … Respondent in A.No.5177/2025

Respondent(s)

Prayer in A.No.5172/2025: Application is filed to grant permission to the applicant to sell a portion of the land (I) New Door No.6, comprised in Old S.No.246 R.S.No.31/1, Triplicane Village, Block – 2, Gulam Mudhursa Street, Chennai, measuring about 1500 sq.ft morefully described in schedule A to and in favour of the respondent herein; (ii) New Door No.26/16, comprised in Old S.No.246 R.S.No.31/1, Triplicane Village, Block – 2, Gulam Mudhursa Street, Chennai, measuring about 600 sq.ft morefully described in schedule B to and in favour of the respondent herein; (iii) New Door No.1, comprised in Old S.No.246 R.S.No.31/1, Now S.No.22/2 Triplicane Village, Block – 2, Gulam Mudhursa Street, Chennai, measuring about 371 sq.ft morefully described in schedule C to and in favour of the respondent herein.

Prayer in A.No.5173/2025: Application is filed to grant permission to the applicant to sell a portion of the land (I) New Door No.14/15, comprised in Old S.No.246 R.S.No.69/1, Triplicane Village, Block – 2, presently Owaliya Sahib Street, Now Tippu Sahib Street, Chennai, measuring about 1050 sq.ft. morefully described in the Schedule A to and in favour of the respondent herein; (ii) New Door No.25/15, comprised in Old S.No.249 R.S.No.31/1, Triplicane Village, Block – 2, Gulam Mudhursa Street, Chennai, measuring about 360 sq.ft morefully described in schedule B to and in favour of the herein.

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Prayer in A.No.5176/2025: Application is filed to grant permission to the applicant to sell a portion of the land in New Door No.33/15, comprised in Old S.No.249 R.S.No.69/1, Triplicane Village, Block – 2, Tippu Sahib Street, Chennai, measuring about 2436 sq.ft. morefully described in the Schedule to the respondent herein.

Prayer in A.No.5177/2025: Application is filed to grant permission to the applicant to sell a portion of the land in (I) Old S.No.249 R.S.No.69/1, Triplicane Village, Block – 2, Owaliya Sahib Street, Muncipal Door No.16,18,13,14, measuring about 2054 sq.ft. morefully described in the Schedule A to and in favour of the respondent herein; (ii) Old S.No.249 R.S.No.69/1, Triplicane Village, Block – 2, Tippu Sahib Street, Muncipal Door No.16/35 measuring about 875 sq.ft. morefully described in the Schedule B to and in favour of the respondent herein.

Prayer in A.No.2671/2025: Application is filed to grant permission to the applicant to sell a portion of the land in New Door No.25/15, comprised in Old S.No.249 R.S.No.33/1, Triplicane Village, Block – 2, Gulam Mudhursa Street, Chennai, measuring about 360 sq.ft morefully described in schedule to and in favour of the herein.

Prayer in A.No.2672/2025: Application is filed to grant permission to the applicant to sell a portion of the land in New Door No.14/15, comprised in Old S.No.249 R.S.No.69/1, Triplicane Village, Block – 2, presently Owaliya Sahib Street, Tipu Sahib Street, Chennai, measuring about 1050 sq.ft. morefully described in the Schedule to and in favour of the respondent herein.

Prayer in A.No.2673/2025: Application is filed to grant permission to the applicant to sell a portion of the land in New Door No.26/16, comprised in Old

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S.No.249 R.S.No.33/1, Triplicane Village, Block – 2, Gulam Mudhursa Street, Chennai, measuring about 600 sq.ft morefully described in schedule to and in favour of the herein.

For Applicant(s): M/s. M.Sriram
in all applications

COMMON ORDER

These applications have been filed by the Managing Trustee of Caku Jalaiah Naidu Charities for the purpose of seeking permission to sell their respective lands to the respondents as tabulated below:

Sl.No.	***Applications***	***Name of the respondent***	***Property details***
1.	A.No.5172/2025	A.Abuthahir	Land situated in (i) New Door No.6, comprised in Old S.No.246 R.S.No.31/1, Triplicane Village, Block – 2, Gulam Mudhursa Street, Chennai, measuring about 1500 sq.ft morefully described in schedule A; (ii) Land situated in New Door No.26/16, comprised in Old S.No.246 R.S.No.31/1, Triplicane Village, Block – 2, Gulam Mudhursa Street, Chennai, measuring about 600 sq.ft morefully described in schedule B; (iii) Land situated inNew Door No.1, comprised in Old S.No.246 R.S.No.31/1, Now S.No.22/2 Triplicane Village, Block – 2, Gulam Mudhursa Street, Chennai, measuring about 371 sq.ft morefully described in schedule C
2.	A.No.5173/2025	S.Jamal Mohideen	Land situated in New Door No.14/15, comprised in Old S.No.246 R.S.No.69/1, Triplicane Village, Block – 2, presently Owaliya Sahib Street, Now Tippu Sahib Street, Chennai, measuring about 1050 sq.ft. morefully

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			described in the Schedule A; (ii) Land situated in New Door No.25/15, comprised in Old S.No.249 R.S.No.31/1, Triplicane Village, Block – 2, Gulam Mudhursa Street, Chennai, measuring about 360 sq.ft morefully described in schedule B.
3.	A.No.5176/2025	Anvar Ali	Land situated in New Door No.33/15, comprised in Old S.No.249 R.S.No.69/1, Triplicane Village, Block – 2, Tippu Sahib Street, Chennai, measuring about 2436 sq.ft. morefully described in the Schedule.
4.	A.No.5177/2025	Abdul Rafi	Land situated in New Door No.25/15, comprised in Old S.No.249 R.S.No.33/1, Triplicane Village, Block – 2, Gulam Mudhursa Street, Chennai, measuring about 360 sq.ft morefully described in schedule.
5.	A.No.2671/2025	Anvar Ali	Land situated in New Door No.25/15, comprised in Old S.No.249 R.S.No.33/1, Triplicane Village, Block – 2, Gulam Mudhursa Street, Chennai, measuring about 360 sq.ft morefully described in schedule.
6.	A.No.2672/2025	Anvar Ali	Land situated in New Door No.14/15, comprised in Old S.No.249 R.S.No.69/1, Triplicane Village, Block – 2, presently Owaliya Sahib Street, Tipu Sahib Street, Chennai, measuring about 1050 sq.ft. morefully described in the Schedule.
7.	A.No.2673/2025	Anvar Ali	Land situated in New Door No.26/16, comprised in Old S.No.249 R.S.No.33/1, Triplicane Village, Block – 2, Gulam Mudhursa Street, Chennai, measuring about 600 sq.ft morefully described in schedule.

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2. Similar connected applications in A.Nos.897/2023, 4944, 3006, 3007 & 3008 of 2022 in C.S.No.204 of 1915 have been filed and this Court vide order dated 23.06.2023 passed the following order:

> " *The suit in C.S.No.204 of 1915 is a scheme suit filed for framing a scheme for Caku Jalaiah Naidu Charities. In the said suit a scheme decree has been passed on 26.08.1917 and as per the scheme, liberty has been granted to the charities to approach the Court to seek appropriate relief to balance the income of the charities in order to meet its objects.*
>
> *3. The respondents as tenants are in possession of the property for more than twenty years and they have purchased the superstructure and they are residing in the same along with their families. After great efforts the properties were identified and the occupants were given notice to hand over the possession. The occupants claimed that they had purchased the superstructures. However, the respondents were under the impression that the whole of the property including the site belonged to them. After coming to know that the trust is the owner of the land they have come forward to purchase the property as per the guideline value.*
>
> *4. There is a great potential difference between the guideline value and the market value of the lands belonging to the trust which is in the heart of the city. However, the trust after taking into consideration of the long occupation of the respondents, have passed a resolution to sell the property for the guideline value of Rs.3,350/- per sq.ft. with the consent of this Court. Since the respondents are in occupation of the superstructure, the lands belonging to the trust generates no income. Since the respondents are settled in their respective occupation by claiming ownership on the superstructure, it is ideal to sell the site to the respective respondents by taking into consideration of the high object of the trust. However selling the properties at the guideline value will cause loss to the applicant / trust and hence the property has to be sold with a*

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reasonable price by taking into consideration of its worth and potential nature.

5. Similar exercise has already been taken in similar applications filed by the trust seeking permission to sell a portion of its lands to third parties. During such occasion, one Mr.Krishna Ravindran was appointed as Advocate Commissioner for effecting the same.

6. The learned counsel for the applicant submitted that the very same counsel shall be appointed to fix the valuation of the property by taking into consideration of the difference between the guideline value and the market value and thereafter to proceed with the same. I feel in the scheme of things, it is appropriate to allow the trust to sell the properties at a reasonable rate fixed by the Commissioner by taking into account of all vital aspects and to fix the valuation of the respective sites.

7. Accordingly, these applications are allowed."

3. Since these connected applications have been filed by the very same applicant / Managing Trustee of Caku Jalaiah Naidu Charities seeking the very same relief, I feel these applications can also be allowed.

4. Accordingly, these applications are allowed in the same lines as that of the order dated 23.06.2023 made in A.Nos.897/2023, 4944, 3006, 3007 & 3008 of 2022 in C.S.No.204 of 1915.

23-01-2026

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No
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R.N.MANJULA J.

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