



WEB COPY

A No. 25 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-07-2026

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THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

A No. 25 of 2026

R. Sampath kumar

..Applicant(s)

Vs

The official Trustee of Tamilnadu
Madras High Court, Chennai

..Respondent(s)

To grant an extension by extending the lease period for a period of Six (6) years from 01/01/2026 as already granted by this Honble Court in A.No.8475 of 2019 in C.S.No.204 of 1949 dated 08/11/2019.

For Applicant(s): Mr.R. Karthikeyan

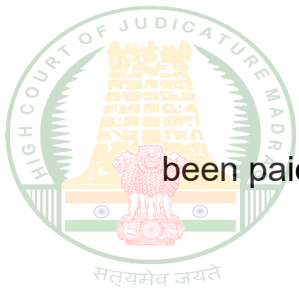
For Respondent(s): Ms.D.Varsha
Deputy AG&OT

ORDER

The present application has been instituted seeking extension of lease period for a period of six years from 01.01.2026.

2. The applicant was a lessee and the period of lease expired on 31.12.2025. He was in possession of the property for about six years.

3. Learned counsel for the applicant would submit that monthly rent has



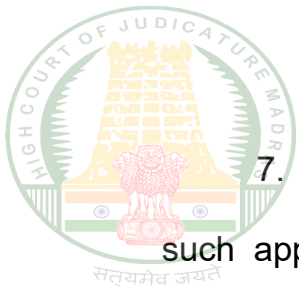
been paid without any default.

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4. AG & OT would submit that lease was earlier renewed by the order dated 08.11.2019 for a period of three years, and further renewal of three years was ordered from 01.01.2023 at the rate of Rs. 30,000/- per month. The applicant is continuing as a lessee and in possession of the property for about 15 years. By virtue of court orders, the lease was renewed periodically.

5. This Court is of the considered view that renewal of lease by Court orders are not desirable. It would cause prejudice to the interest of the trust properties. The trust or an executor of the Will is entitled for a just rent or value of the property, in order to achieve the objectives set out in the trust deed or Will, as the case may be. Therefore, High Court is not expected to exercise its discretion in the matter of fixing the rent or extending the lease period without conducting public auction in a transparent manner and to ensure that the trust properties are dealt with in accordance with law.

6. The practice of extending the lease by filing an application before the High Court, at no circumstances be encouraged and on expiry of the lease period, all such properties are to be auctioned through public auction and by following the procedures as contemplated.



7. Hereinafter, the AG&OT is expected to be vigilant in dealing with such applications or representing such cases before the Court, whenever such applications are listed for hearing before the High Court. The AG&OT is bound to place all the facts relating to the property, including the number of years of occupation of a lessee, encroacher or otherwise, enabling this Court to initiate all appropriate actions in the manner known to law.

8. In the present case, the applicant is in possession of the subject property for more than fifteen years. The lease expired on 12.12.2025. Already two extensions were granted through Court orders. Therefore, such a practice cannot be continued perpetually, so as to extend the lease without conducting any public auction, which is against public policy and in violation of Rule of law.

9. Therefore, the AG&OT is directed to conduct the public auction in respect of the properties by following the procedures as expeditiously as possible.

10. With the directions, the application is dismissed. No costs.

10-07-2026

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

GD



To
The official Trustee of Tamilnadu
Madras High Court, Chennai

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S.M.SUBRAMANIAM, J.

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