

**A. (IP).No.57 of 2015
in
I.P.No.118 of 2002**

R.SUBBIAH, J

This is an application to permit the Official Assignee to let out the vacant second floor Flat-II on a monthly rent of Rs.1750/- with an advance amount of Rs.10,500/- to Ms.S.P.Kavitha; vacant ground floor Flat-I on a monthly rent of Rs.4,500/- with an advance amount of Rs.27,000/- to Mr.N.Nithin; vacant ground floor Flat-II on a monthly rent of Rs.4,500/- with an advance amount of Rs.27,000/- to Ms.S.Lakshmi; vacant first floor Flat-I on a monthly rent of Rs.4,500/- with an advance amount of Rs.27,000/- to Mr.G.Radhakrishnan; vacant first floor Flat-II on a monthly rent of Rs.4,500/- with an advance amount of Rs.27,000/- to Mr.Chiristal Vins; vacant second floor Flat-II on a monthly rent of Rs.4,500/- with an advance amount of Rs.27,000/- to Mr.Ganapathy Sudharsan and vacant second floor Flat-III on a monthly rent of Rs.4,500/- with an advance amount of Rs.27,000/- to Mr.D.Rajbabu.

2. Heard the learned Official Assignee and the learned counsel for the respondent.

3. The learned Official Assignee has filed his report, which reads as follows :

"The insolvent filed her schedule of affairs on 09.08.2002, disclosing her assets for Rs.1,31,14,453/- and liabilities for Rs.1,04,09,816/-, thus showing a surplus of Rs.27,04,637/-. She had informed the Official Assignee that one Mr.S.Ramados, S/o. Sitaraman residing at No.77/7, II Street, Collectors Colony, Aminjikarai, Chennai - 600 029 and

Mr.A.Dharmaraj have forcefully got executed a document in their favour in respect of the property at No.5/11, Siraj Street, Ayyavoo Naidu Colony, Aminjikarai, Chennai-29 and Application Nos.662/2002, 663/2002 and 522/2004 filed by Mr.S.Ramadoss and Mr.A.Dharmaraj are pending.

The subject property consists of 2 portions, viz., a front portion and a rear portion. The front portion consists of 3 floors and in each floor, there are 2 portions. The rear portion consists of three floors and in each floor, there are three portions. Some of the portions are lying vacant and in the portions occupied by the tenants, there was no increase in rent for the past ten years. The existing tenants were called for enquiry for increase of rent and the details of increase of rent were fixed. The increase in the rent was made on the basis of rental value fixed by the approved Engineer. The increase in rent was made after the enquiry of the tenants.

4. It is further stated in the report that in the front portion, second floor Flat-II, one Ms.S.P.Kavitha has requested to let out the property for rent of Rs.1,750/- and in the rear portions, ground floor Flat-I, Mr.N.Nithin; ground floor Flat-II, Ms.S.Lakshmi; first floor Flat-I, Mr.G.Radhakrishnan; first floor Flat-II Mr.Chiristal Vins; second floor Flat-II, Mr.Ganapathy Sudharsan and second floor Flat-III, Mr.D.Rajbabu, have requested to let out the property for rent of Rs.4,500/-.

5. Considering the submissions made, this application is ordered as prayed for.

23.02.2015

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