

O.P.No. 792 of 2016**R.SUBRAMANIAN, J.**

The Petitioner/Registered Society seeks permission for sale of one of its immovable properties measuring about 710 sq.ft. with semi finished construction situated at Old Door No.14, New No. 26, Habibullah Sahib Cross Street, Triplicane, Chennai – 600 005 in order to enable him to complete the on going construction in a larger property measuring 4896 sq.ft., situated at No.8/78, Pillaiyar Koil Street, Triplicane, Chennai – 600 005.

2. The president of the society was examined as P.W.1 and he has produced the documents relating to the title of the property as well as the resolutions passed by the members for sale of the property. This Court had appointed Mr.S.B.Viswanathan, as an Advocate Commissioner to invite offers from the public and sell the property. Pursuant to the said order, Mr.S.B.Viswanathan has effected a publication in one Tamil and English daily on 26.11.2017. Pursuant to the said publication, Commissioner had received an offer from one K.Pannerselvam by his letter dated 26.11.2017 offering to purchase the property for a sum of Rs.55,00,000/-. The Commissioner referred the said offer to the society. According to the Commissioner, the amount offered was not acceptable to the petitioner society.

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3. After about 10 months, one Mr.P.Mohan, son of the said K.Pannersalvam had given a letter dated 19.09.2018 offering to purchase the property for a consideration of Rs.60,00,000/-. It is also seen from the documents produced that the society had accepted the offer for Rs.60,00,000/- received from Mr.P.Mohan. A resolution has also been passed by the society on 22.09.2018 accepting the said offer of Mr.P.Mohan. Mr.C.Hanumantha Rao, President of the Society is also present in Court. He would submit that the offer of Mr.P.Mohan is beneficial to the Society.

4. In view of the same, the original petition is allowed permitting the society to sell the property to Mr.P.Mohan as per his offer letter dated 20.09.2018.

5. The society is directed to pay a further sum of Rs.30,000/- to the Advocate Commissioner as additional remuneration. Commissioner fee shall be paid on or before 29.03.2019.

15.03.2019

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Note: Issue order copy on 19.03.2019