

**Application No.7102 of 2019**  
**in**  
**C.S.No.1132 of 1921**

**R.SUBBIAH, J**

This application has been filed to enhance the monthly rent for the property at Door No.88, Govindappa Naicken Street, Chennai - 1, which is leased out to the respondent, in between Rs.1,42,000/- and Rs.2,46,393/- with effect from 01.04.2019.

2. Learned counsel for Administrator General and Official Trustee submits that respondent is a long term tenant in respect of the premises since 1950. Since he has committed default in payment of rent in the year 2010, an application has been filed by the Official Trustee to quit and deliver vacant possession of the property. This Court directed the respondent to pay a sum of Rs.75,000/- per month as rent with effect from 01.09.2010. Challenging the said order, respondent filed an appeal in O.S.A.No.84 of 2011 on the file of this Court and this Court reduced the monthly rent from Rs.75,000/- to Rs.60,000/- and directed the respondent to pay the said amount with effect from 01.09.2010. Respondent has paid the said sum till August 2019. This Court has adopted 10% increase every year and arrived at the sum of Rs.60,000/- as

monthly rent upto 31.03.2010. Thereafter, the rent was not enhanced. By applying 10% enhancement, the rent payable as on 01.04.2019 would come to Rs.1,42,000/-. Hence, the present application has been filed seeking to enhance the monthly rent.

3. Learned counsel for respondent submits that the building is more than 100 years old and the respondent is spending additional money towards maintenance of the building. Though the respondent requested the applicant to reduce the rent to Rs.80,000/-, such request was rejected. Learned counsel submits that monthly rent of Rs.1,42,000/- is very much on the higher side and prays this Court to fix monthly rent at Rs.80,000/-.

4. This Court has considered the rival submissions and perused the materials on record.

5. This Court finds that from the year 2010, the rent was not increased. At the same time, increasing the rent to Rs.1,42,000/- p.m., at a stretch, is not justified. Hence, considering the factual aspects, this Court is of the view

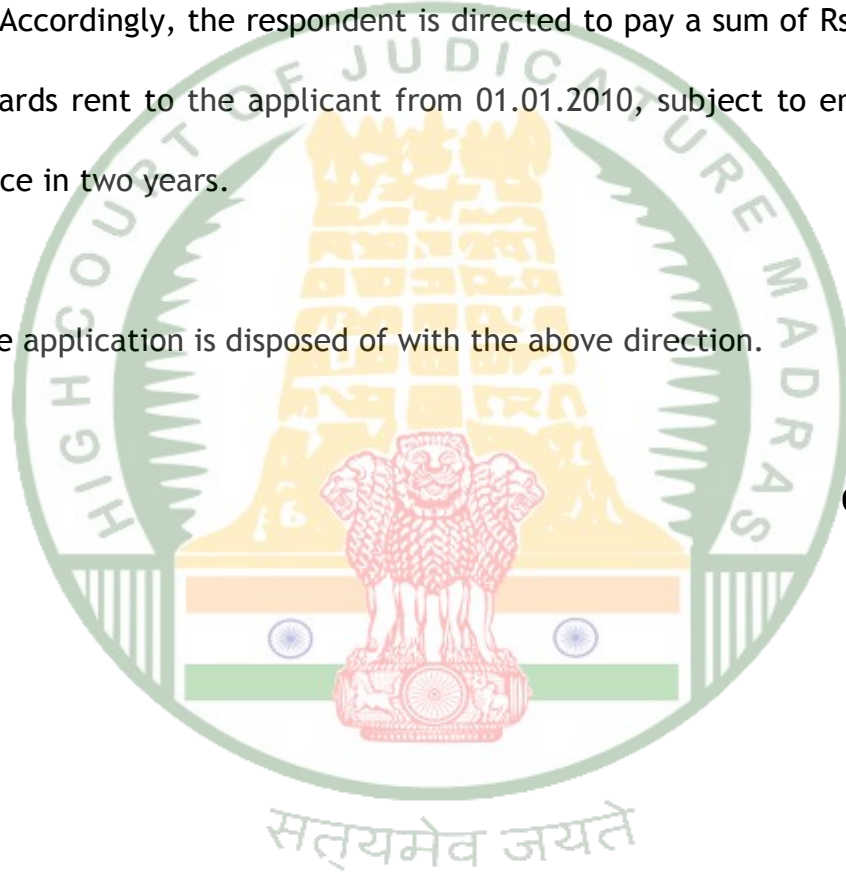
that a sum of Rs.1,20,000/- could be fixed as monthly rent, payable from 01.01.2020.

6. Accordingly, the respondent is directed to pay a sum of Rs.1,20,000/- p.m. towards rent to the applicant from 01.01.2010, subject to enhancement at 10% once in two years.

The application is disposed of with the above direction.

06.12.2019

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