

O.A.No.474 of 2019
in
C.S.No.296 of 2019

SENTHILKUMAR RAMAMOORTHY, J

This application is filed to appoint a Receiver to collect rents, security deposit and advance from the tenants, who are in occupation of the property described in the schedule to the judge's summons.

2. I heard the learned counsel for the applicant/plaintiff and the learned counsel for the first respondent/defendant. Respondents 2 and 3 filed their counter affidavit earlier and they are not present in Court today.

3. The learned counsel for the applicant submitted that he has been appointed as the Administrator under order dated 10.08.2012 in O.P.Nos.99 and 100 of 2011. He further submits that the first respondent is the applicant's brother and he has been collecting rents from the schedule mentioned property for a long time. In spite of the applicant being appointed as Administrator, the tenants continue to pay rents to the first respondent and not to the applicant.

4. The learned counsel for the first respondent submits that he has no objection if the rent is paid by the tenants to the applicant provided he renders a proper account in respect thereof.

5. Respondents 2 and 3 filed counter affidavits wherein they stated that they were dealing with the first respondent, who was also attending to their request for water supply and other amenities. However, they state that they have now learnt that the applicant was appointed as Administrator of the property by this Court and that they are ready and willing to pay the rent to the applicant if the applicant provides proof of entitlement by way of the order of this Court.

6. Upon considering the aforesaid submissions and the counter affidavits of respondents 2 and 3, I am of the view that this application should be disposed of by directing respondents 2 and 3 herein to pay the rent for the respective portions of the property to the applicant from the month of March 2020 onwards. For this purpose, the applicant shall send a

communication to respondents 2 and 3 providing details of his bank account so as to enable the remittance of rent into the said bank account.

7. Accordingly, this application is disposed of with the following directions:-

(i) The applicant shall open a bank account and provide the details thereof to the three respondents.

(ii) Upon receipt of the communication from the applicant providing the aforesaid details, respondents 2 and 3 are directed to remit the rent into the said bank account for the month of March 2020 onwards.

(iii) As an Administrator, the applicant shall take care of the premises including the payment of property tax, water tax, etc.

Post the application in A.No.3405 of 2019 for hearing on 19.03.2020.

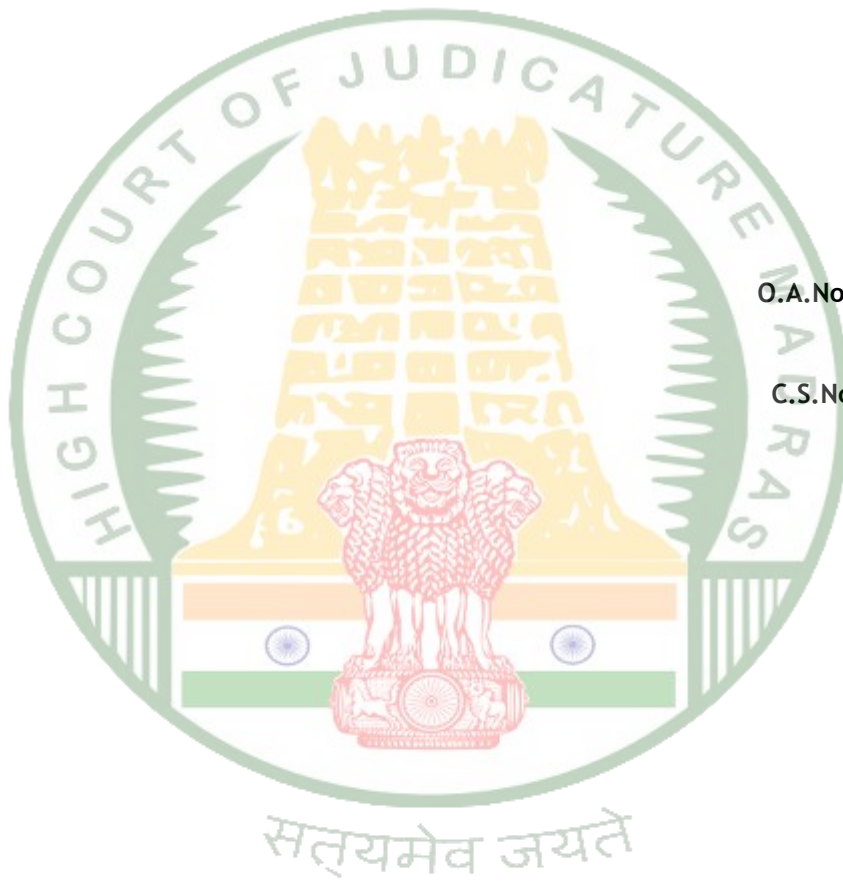
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Note : Issue Order Copy on 09.03.2020

SENTHILKUMAR RAMAMOORTHY, J

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