

A.No.5435 of 2019
in C.S.No.204 of 1915

M.SUNDAR,J.

Mr.M.Sriram, learned counsel for applicants is before this Court. There is no representation for sole respondent.

2. Read this in conjunction with and in continuation of earlier proceedings of this Court dated 07.01.2020 and 03.02.2020.

3. Mr.Krishna Ravindran, learned Advocate Commissioner is before this Court and report of the learned Advocate Commissioner along with annexures is now before this Court. To be noted, the report is dated 03.02.2020 and the same reads as follows:

'REPORT FILED BY THE ADVOCATE COMMISSIONER

The Advocate Commissioner submits as follows:-

This Hon'ble Court was pleased to appoint me as the Advocate Commissioner in the above case vide order dated 07.01.2020 to conduct auction of the property situated at Old S.No.249, R.S.No.69/1, Triplicane Village, Block-2, Tipu Sahib Street, Municipal Door No.2/9, 1/10, 2/10, 11 -15, measuring about 800 Sq. Ft. out of 13,668 Sq.Ft. belonging to Caku Jaliah Naidu Trust. I received the Warrant of Commission from this Hon'ble Court on 23.01.2020 and I immediately contacted the counsel for the Applicant.

Subsequently, I had requested a Valuer namely, Mr.S.Ramesh to inspect the property and submit a valuation report. The said Mr.S.Ramesh could not inspect the property since there was an aged lady who was occupying the premises who was not willing to co-operate. I have ascertained the Guideline value of the property from the Registration Department Website of Govt. of Tamil Nadu which is Rs.3,350/- per Sq. Ft. Copy of the same is filed herewith. Further I have also obtained copy of a recent Sale Deed from the same website, pertaining to a property in the same neighborhood and it is seen that a property consisting 3000 Sq. Ft. of land and building has been sold for Rs.1,50,00,000/- which is working out to about Rs.5,000/- per Sq. Ft. Copy of the Sale Deed is filed herewith. Hence, even as per the approved guideline value of the property to be sold is worth about Rs.26,80,000/-. Considering the nature of the property and the actual market value, I have fixed the upset price for the property at Rs.50,00,000/-.

I have published the Auction notice in the Daily Tamil Newspaper, "Malai Malar" on 25.01.2020 and fixed the auction sale on 01.02.2020 at my office. Copy of the paper publication is filed herewith.

The proceedings of the auction are filed herewith and may be read as part and parcel of this Report. The original Demand Draft dated 30.01.2020 drawn on Karnataka Bank Ltd. for Rs.5,00,000/- in favour of Mrs.R.Adhilakshmi, the Managing Trustee, submitted by Mr.M.Padmanaban, the successful bidder is presented herewith. Therefore, this Hon'ble Court may pass suitable orders confirming the sale in favour of the successful bidder and record the present Report filed by the Advocate Commissioner and release the Advocate Commissioner on satisfaction of the Warrant.

Dated at Chennai, this 3rd day of February 2020.

(sd/-)
(Krishna Ravindran)
Advocate Commissioner.'

4. This Court is informed that lone respondent in instant application also participated in the public auction, but could not meet the highest bid. Today, the following Demand Draft



for Rs.5,00,000/- (Rupees Five Lakhs only) drawn in favour of Managing Trustee of Caku Jaliah Naidu Charities is handed over to the learned counsel for applicant by the Advocate Commissioner.

5. To be noted, in the earlier proceedings dated 03.02.2020, there is a reference to counsel Ms.M.Abbiraami for Mr.Ferozkhan, for respondents 3, 4, 5, 7 and 8. This is obviously a reference to other applications other than A.No.5435 of 2019 as there is a lone respondent in instant application.

Therefore, that part of paragraph 3 of the previous proceedings shall stand amended and suffice to say that counsel for lone respondent in instant application was before this Court on 03.02.2020.

6. In the light of the narrative thus far, the sale shall be completed and a final report shall be submitted to this Court after completion of sale.

11.02.2020

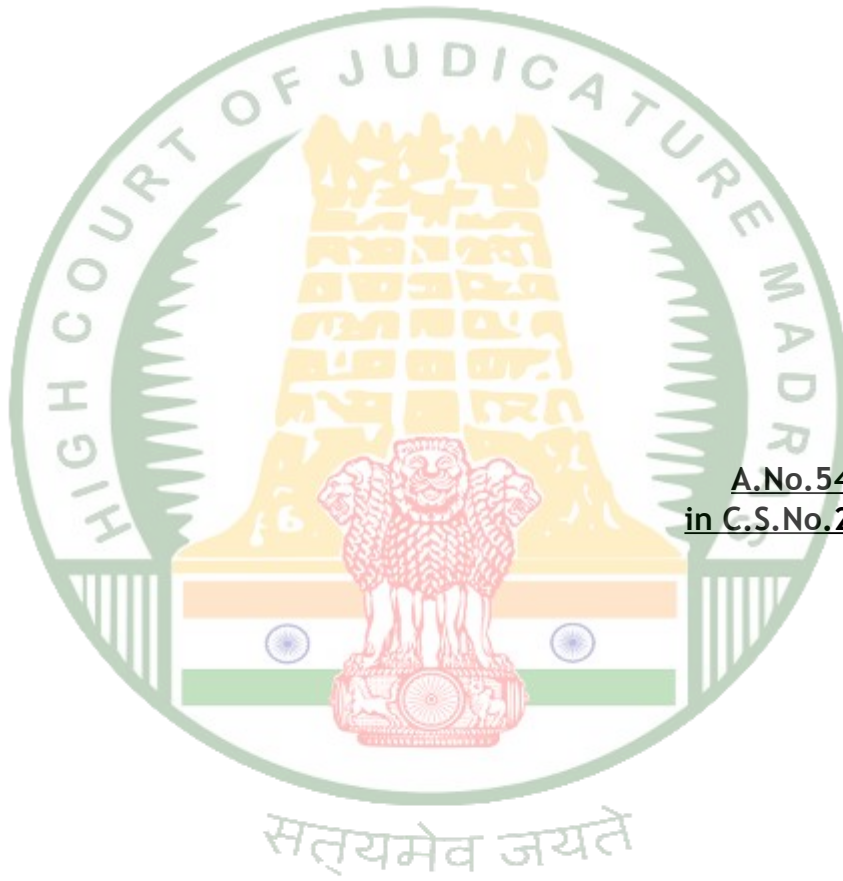
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