

Application Nos.1076 and 1077 of 2021

R.SUBBIAH, J

This Court is held by Video Conference.

2. The present applications have been filed by the Administrator General and Official Trustee seeking permission to make necessary paper publication in any one of the Tamil Newspaper in Chennai Edition, regarding the public auction for the Body Guard Muneeswarer Temple, Pallavan Salai, Chennai – 600002, by fixing minimum upset licence fee of Rs.1,10,00,000/- (Rupees One Crore and Ten Lakhs only) for one year from 01.05.2021 to 30.04.2022 and the total cost for paper publication and inspection expenses is to be meted out from the Trust Estate of MOPL.

3. Learned Administrator General and Official Trustee has filed a report dated 22.02.2021, wherein it is stated as follows:

(i) nearly about 150 Trust Estates are being administered by the Administrator General and Official Trustee of Tamil Nadu. From and out of the Trust Estates both the Administrator General and Official Trustee sides there are

about 500 properties let out to various tenants for Residential and Non-Residential on monthly rent basis and also yearly lease basis for agricultural land.

(ii)the main income to the Trust Estates is rent from the properties and interest on Fixed Deposit. As soon as the property is kept vacant it has to be leased out through public auction. Lastly, in January, 2020, public auction was conducted for several properties. Most of the properties were leased out to the highest bidder after confirmation order passed by this Court.

(iii)for another 23 properties, to lease out, necessary permission application was filed prior to the COVID-19 lock down in A.Nos.1252 & 1253 of 2020 which includes the Body Guard Muneeswarer Temple, Pallavan Salai, Chennai-2, under the MOPL Trust Estate for licence to conduct pooja and collection of Hundis for one year from 01.05.2020 to 30.04.2021 by fixing the one year upset licence amount of Rs.1,00,00,000/-. After filing the above application there was a complete lock down due to CORONA-19 and those applications were not listed for hearing. In the mean time, as the request made from the earlier licensee Mrs.K.Lalitha of Body Guard Muneeswarer Temple, she was informed to approach the court of law for

extension of licence once the court is started to function.

(iv)during COVID-19 step by step relaxation, A.Nos. 1252 & 1253 of 2020 were listed before this Court on 30.06.2020 and those applications were allowed permitting the AG & OT to go for public auction. Thereafter, for one another property in Vepery related to Bavanandam Academy Trust Estate an application was filed in A.Nos.1961 & 1962 of 2020 by the AG & OT seeking permission to lease out the property through public auction. That application was also allowed on 11.09.2020.

(v)earlier licensee of Body Guard Muneeswarer Temple Mrs. K.Lalitha filed an A.No.2084 of 2020 with a prayer to extend the licence for a period of five years. On filing report by the Official Trustee of Tamil Nadu, this Court by order dated 18.12.2020 extended the licence for only one year from 01.05.2020 to 30.04.2021 by fixing Rs.85,00,000/- as yearly licence fee to be paid in 4 equal installments with applicable GST one in the end of the December, 2020, the next in the end of January, 2021 and third in the end of February, 2021 and the last one in the end of April, 2021. As per the orders, the licensee Mrs. K.Lalitha has paid 2 installments as on date. Further, she has filed an application for modification of period from 01.09.2020 to

31.08.2021 instead of 01.05.2020 to 30.04.2021 for assigning reason of CORONA-19 lock down. That application is not yet been numbered and listed so far.

(vi)for other seven properties, recently, the AG & OT has taken out A.Nos.420 & 421 of 2021 seeking permission of this Court to lease out those properties by public auction to fetch income. Those applications were allowed by order dated 19.02.2021. That order copy is not yet received. As of now, by the orders in A.Nos.1252 & 1253 of 2020, A.Nos.1961 & 1962 of 2020 & A.Nos.420 & 421 of 2021 dated 30.06.2020, 11.09.2020 & 19.02.2020 respectively there are 30 properties to be leased out through public auction. The AG & OT has to take steps to give public notice through Tamil Daily. Since, the licence to Body Guard Muneeswarer Temple, Pallavan Salai, Chennai-2 under the Trust Estate of MOPL will expire on 30.04.2021 and prior to that public auction be conducted for the period from 01.05.2021 to 30.04.2022 for licence and this permission application is filed seeking permission of this Court to go for public auction for one year licence to do pooja to the Body Guard Muneeswarer Idol and collect Hundis and pay licence fee to the Official Trustee of Tamil Nadu. For all the 31 properties a

common public notice of paper publication would be issued.

(vii)considering the cost of escalation and current licence fee of Rs.85 lakhs per annum, the AG & OT suggested that minimum Rs.1,10,00,000/- is fixed as minimum upset licence fee for one year from 01.05.2021 to 30.04.2022.

(viii)in view of the above, this application is filed seeking permission of this Court to grant permission for paper publication to conduct public auction to know the general public and followed by call for tender, then to conduct public auction in the office of AG & OT, and thereafter, file a report before this Court for confirmation etc.

Submitting as above, learned Administrator General and Official Trustee prays for the above relief.

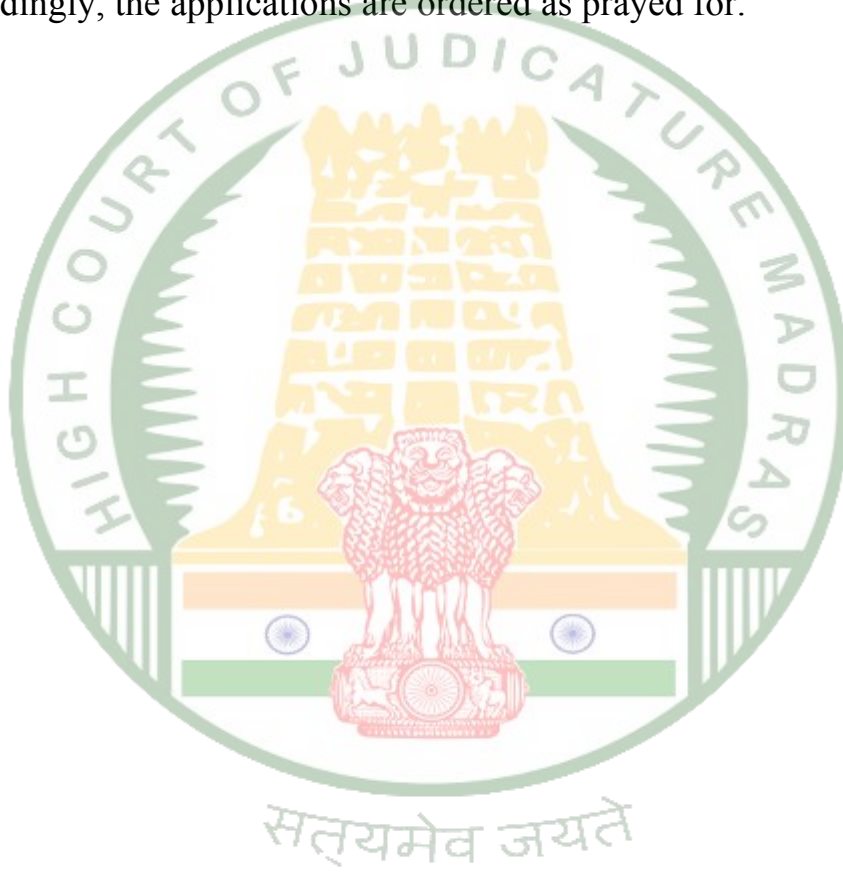
4. Considering the submissions made, this Court permits the Official Trustee to make necessary paper publication in any one of the Tamil Newspaper in Chennai Edition, regarding the public auction for the Body Guard Muneeswarer Temple, Pallavan Salai, Chennai – 600002, by fixing minimum upset licence fee of Rs.1,10,00,000/- (Rupees One Crore and Ten Lakhs only) for one year from 01.05.2021 to 30.04.2022 and the total cost for

paper publication and inspection expenses is to be meted out from the Trust Estate of MOPL.

Accordingly, the applications are ordered as prayed for.

12.03.2021

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