

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 30.04.2021

Coram:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

Application No.1866 of 2021
in
C.S.No.177 of 1939

George VI by the Grace of Good of Great Britain,
Ireland and the British Dominions beyond the
Seas, King, Defender of the Faith Emperor of India

In the matter of the Madras Ordinance
Pensioned Luscars Charities

K.Lalitha
W/o Krishnamoorthy

.. Applicant

Vs.

The Official Trustee of Tamil Nadu, High Court, Madras.

.. Respondent

Application filed and Judge's Summons issued under Order XIV Rule 8 of the Original Side Rules of this Court read with Section 151 CPC, praying to issue appropriate direction to the Official Trustee of Tamil Nadu not to conduct any publication to auction and reduce the licence fee from Rs.85,00,000/- and fix the licence for the period of three years from 01.05.2021 to 30.04.2024 at the rate of enhanced licence fee as 1% every year.

For applicant: Mr.S.Doraisamy for M/s.D.Suresh

For respondent: Mr.B.Vijay for A.G. & O.T.

ORDER

This application is filed by the applicant praying to issue appropriate direction to the Official Trustee of Tamil Nadu not to conduct any publication to auction and reduce the licence fee from Rs.85,00,000/- and fix the licence for the period of three years from 01.05.2021 to 30.04.2024 at the rate of enhanced licence fee as 1% every year.

2. The applicant herein is a third party in the suit in C.S.No.177 of 1939 and licence holder for the period from 01.05.2020 to 30.04.2021 to perform Pooja of Bodyguard Muneeswara Temple, Pallavan Salai, Chennai-600 002 and for collection of Hundi funds.

3. The learned counsel appearing for the respondent/A.G. & O.T. submitted that they are prepared to permit the applicant to conduct Pooja to the said Temple and for collection of Hundi funds, on payment of Rs.1 crore and ten lakhs as licence fee for a period of one year.

4. However, the learned counsel for the applicant submitted that the said amount of Rs.1 crore and ten lakhs is an exorbitant sum and expressed his difficulties for paying the said sum as licence fee.

5. Considering the submissions made on either side, this Court is constrained to pass the following order:

The learned A.G. & O.T. shall permit the applicant being the licence-holder to perform Pooja of Bodyguard Muneeswara Temple, Pallavan Salai, Chennai-600 002 and to collect the Hundi funds, on payment of licence fee of Rs.1 crore with 18% G.S.T., for a period of one year from 01.05.2021 to 30.04.2022.

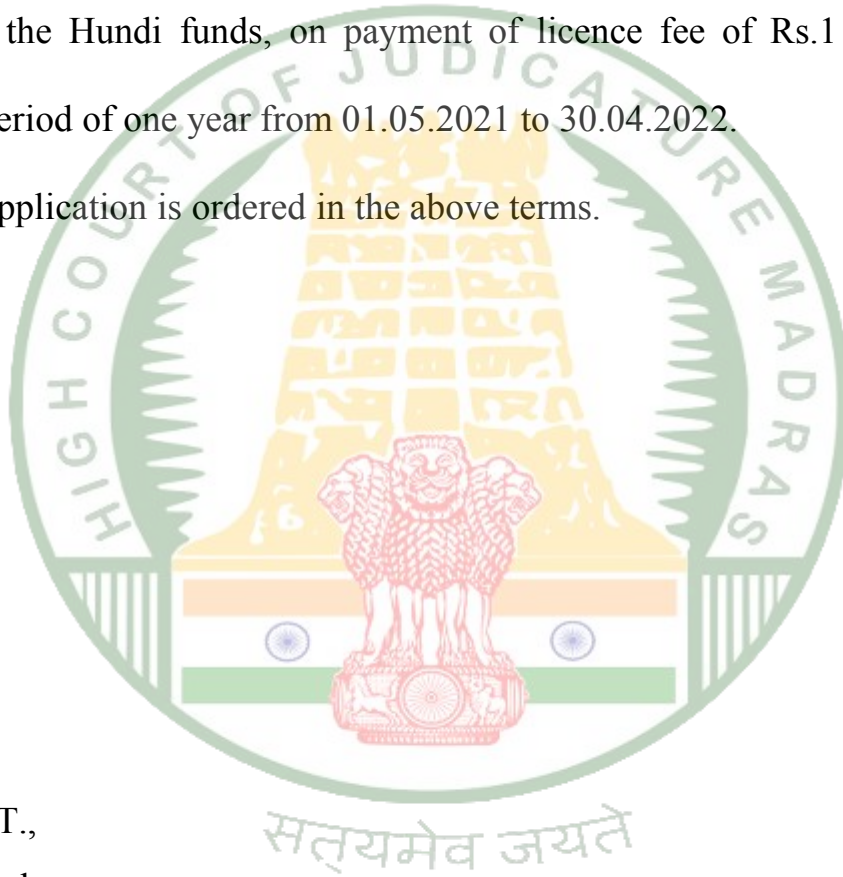
6. This application is ordered in the above terms.

30.04.2021

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To

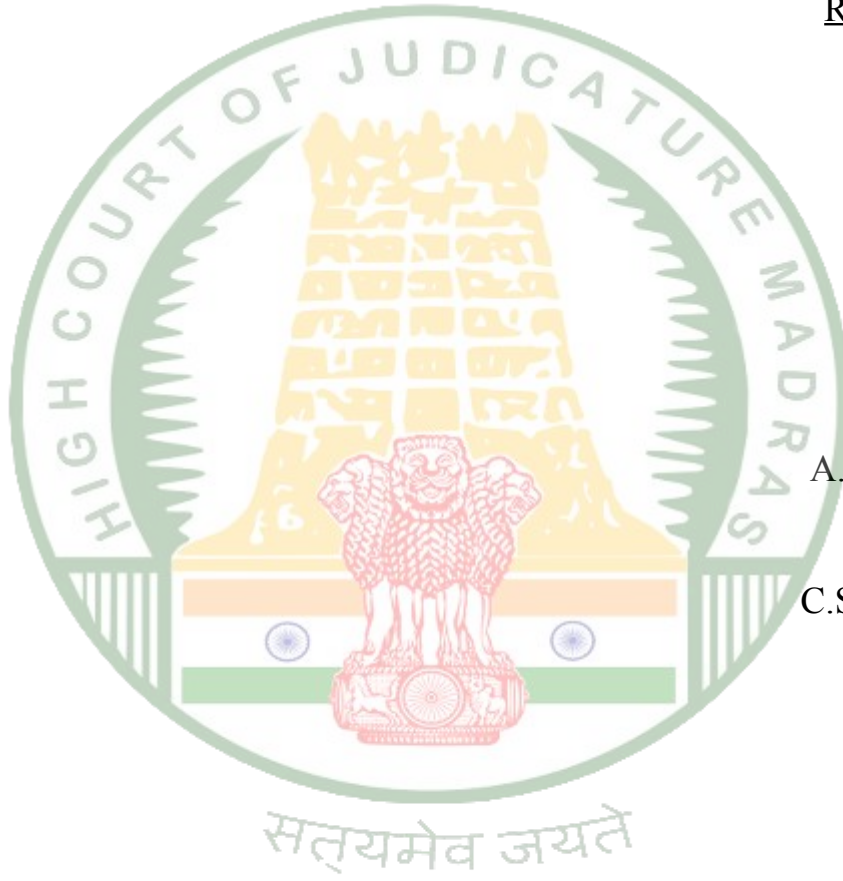
The A.G. & O.T.,
High Court, Madras.



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R.SUBBIAH, J

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