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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 17th DAY OF JUNE 2022

THE HON'BLE MR. JUSTICE M.DURAI SWAMY

A.No.2225 of 2022

The Administrator General and
Official Trustee of Tamil Nadu,
High Court Campus, Chennai- 600 104.

.. Applicant

Application praying that this Hon'ble Court be pleased to reduce 50% from the upset price fixed for last auction held for the properties in Sl.Nos.2,4,5,7,12,13,14,15,16,17,18,19,20,21,22,23,25,26,28,29,30,33,36,37,38 and 39 of this report.

1	Address of the Property (3)	Upset Price (6)	EMD in Rs (7)	Highest Bid Amount	Name of the Highest Bidder	Auction date
	No.51 &52, Moore Street, Chennai -1	35,000/-	1,05,000/-	35,500/-	P. Koteeswaran	25.05.2022
2	No.47 Moore Street, Chennai - 1.	1,10,000/-	3,30,000/-	No bidder		25.05.2022
3	No.47 Moore Street, Chennai – 1.	8,500/-	25,500/-	8,700/-	25.05.2022	25.05.2022



4	No.47 Moore Street, Chennai - 1.	26,400/-	79,200/-	No bidder		25.05.2022
5	No.47 Moore Street, Chennai - 1.	45,000/-	1,35,000/-	No bidder		25.05.2022
6	No.7, Acharappan Lane, Chennai - 1	7,400/-	22,200/-	17,500/-	A.Raghavendra	26.05.2022
7	No.7, Acharappan Lane, Chennai - 1	46,000/-	1,38,000/-	No bidder		26.05.2022
8	151, Aathiyappa Naicken Street, Chennai - 1.	25,000/-	75,000/-	66,000/-	N. Kalyanaraman	26.05.2022
9	No.189, NSC Bose Road, Chennai - 1	1,08,750/-	3,26,250/-	1,09,000/-	Khasali & Peer Anees Raj	26.05.2022
10	No.15, Thatha Muthiappan Street, Chennai - 1.	3,750/-	11,250/-	10,200/-	K.R.Aprinji	26.05.2022
11	No.15, Thatha Muthiappan Street, Chennai - 1.	2,500/-	7,500/-	5,000/-	K.R.Aprinji	27.05.2022
12	No.18, Swamy Thiruneelagandan Street, Chennai - 1.	6,000/-	18,000/-	No Bidder		27.05.2022
13	No.79, Prakasam Road, (Broadway), Chennai-1.	75,000/-	2,25,000/-	No Bidder		27.05.2022
14	No.80, Prakasam Road,	97,000/-	2,91,000/-	No Bidder		27.05.2022



	(Broadway), Chennai - 1.				
15	New No.6, Old No.1, Narayana Chetty Lane, Chennai - 1.	22,500/-	67,500/-	No Bidder	27.05.2022
16	No.14, SMM Lane, Chennai - 1.	15,000/-	45,000/-	No bidder	30.05.2022
17	New No.41, Old No.19, S.M.M.Street, Chennai - 1.	33,750/-	1,01,250/-	No bidder	30.05.2022
18	56, Pycrofts Road,1st Street, Royapettah, Chennai - 14.	15,000/-	45,000/-	No bidder	30.05.2022
19	No.29, Singarachari Street, Chennai-5.	93,750/-	2,81,250/-	No bidder	30.05.2022
20	No.23, Kanakkar Street, Chennai - 19.	6,000/-	18,000/-	No bidder	30.05.2022
21	No.6, South Prakaram Street, TH Road, Chennai - 19.	26,250/-	78,750/-	No bidder	31.05.2022
22	No. 58, St.Xavier Street, Chennai - 1.	15,000/-	45,000/-	No bidder	31.05.2022
23	No.173, Pycrofts Road, 1 st Street, Royapettah, Chennai - 14.	2,36,000/-	7,08,000/-	No bidder	31.05.2022
24	No.125, Audiappa	1,16,000/-	3,48,000/-	2,15,000/ Bhagavathi	31.05.2022



	Naicken Street, Chennai - 1.			-	Devi	
25	No.42, S.M.M.Lane, Chennai - 1.	7,200/-	21,600/-	No bidder		31.05.2022
26	No.14, Karuppannan Street, Chennai - 1.	27,700/-	83,100/-	No bidder		01.06.2022
27	No. 28, Paramasiva Chetty Street, Chennai-1	28,000/-	84,000/-	29,000/-	Ramlal Solanki	01.06.2022
28	No.246, Ramakrishna Mutt Road, Mylapore, Chennai - 4	3,98,500/-	11,95,500/-	No bidder		01.06.2022
29	No.239, Ramakrishna Mutt Road, Mylapore, Chennai - 4	2,82,525/-	8,47,575/-	No bidder		01.06.2022
30	No.68, Jermiah Road, Vapery, Chennai - 7	3,20,000/-	9,60,000/-	No bidder		01.06.2022
31	No. 910, Thiruvottiyur High Road, Chennai - 19.	12,700/-	38,100/-	30,000/-	Aruldasan	02.06.2022
32	Lands at Ayanambakkam Lands, Chennai - 95	14,25,531/-	42,76,593/-	Auction discontinued due to clarification for bifurcation of the property		02.06.2022
		4,37,192/-	13,11,576/-			02.06.2022
33	No.10, Mohandas Lane Border Garden, Chennai - 14.	23,500/-	70,500/-	No bidder		02.06.2022
34	No.32, Veerappan	3,350/-	10,050/-	3,500/-	Iruthayaraj	02.06.2022



	Street, Chennai – 1.					
35	No.32, Veerappan Street, Chennai – 1.	11,300/-	33,900/-	11,400/-	Iruthayaraj	02.06.2022
36	No.10, Venkatesa Gramini Street, Chindadripet, Chennai - 3	32,500/-	97,500/-	No bidder		03.06.2022
37	No.21, Periyanna mudali Street, Chennai – 1.	36,580/-	1,09,740/-	No bidder		03.06.2022
38	No.12, Ramasamy Mesthri Street, Triplicane, Chennai-5.	11,655/-	34,965/-	No bidder		03.06.2022
39	No.63,64,65, East Mada Street, Thiruporur	55,000/-	1,65,000/-	No bidder		03.06.2022

This application coming on this day before this Court for hearing in the presence of Mr.M.Jagadeesan, Additional Deputy Administrator General and Official Trustee of Tamil Nadu, the applicant herein appearing in person, and upon reading the Judges Summons and the report of the Administrator General and Official Trustee of Tamil Nadu filed herein, and the order dated 29.04.2022 made in A.Nos.1955 and 1956 of 2022, and this Court having observed that since there were no bidders in the auction held



between 25.05.2022 and 03.06.2022, the learned AG & OT has filed the above application seeking for reduction in the upset price and this Court observing that instead of reducing the upset price by 50%, this Court in of the view that the upset price can be reduced by 25%, and it is ordered :

That the upset price fixed on the earlier auction be and is hereby permitted to be reduced by 25%.

WITNESS THE HON'BLE MR.JUSTICE MUNISHWAR NATH BHANDARI CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 17th DAY OF JUNE 2022.

Sd./-

ASSISTANT REGISTRAR (O.S-II)

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.



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23.06.2022

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A.No.2225 of 2022

ORDER

DATED: 17.06.2022

THE HON'BLE MR.JUSTICE

M.DURAISWAMY

FOR APPROVAL: 24.06.2022

APPROVED ON : 24.06.2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 17th DAY OF JUNE 2022

THE HON'BLE MR. JUSTICE M.DURAI SWAMY

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The Administrator General and
Official Trustee of Tamil Nadu,
High Court Campus, Chennai- 600 104.

.. Applicant

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5	No.47 Moore Street, Chennai - 1.	45,000/-	1,35,000/-	No bidder		25.05.2022
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9	No.189, NSC Bose Road, Chennai - 1	1,08,750/-	3,26,250/-	1,09,000/-	Khasali & Peer Anees Raj	26.05.2022
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19	No.29, Singarachari Street, Chennai-5.	93,750/-	2,81,250/-	No bidder	30.05.2022
20	No.23, Kanakkar Street, Chennai - 19.	6,000/-	18,000/-	No bidder	30.05.2022
21	No.6, South Prakaram Street, TH Road, Chennai - 19.	26,250/-	78,750/-	No bidder	31.05.2022
22	No. 58, St.Xavier Street, Chennai - 1.	15,000/-	45,000/-	No bidder	31.05.2022
23	No.173, Pycrofts Road, 1 st Street, Royapettah, Chennai - 14.	2,36,000/-	7,08,000/-	No bidder	31.05.2022
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29	No.239, Ramakrishna Mutt Road, Mylapore, Chennai - 4	2,82,525/-	8,47,575/-	No bidder		01.06.2022
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		4,37,192/-	13,11,576/-			02.06.2022



33	No.10, Mohandas Lane Border Garden, Chennai - 14.	23,500/-	70,500/-	No bidder		02.06.2022
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35	No.32, Veerappan Street, Chennai – 1.	11,300/-	33,900/-	11,400/-	Iruthayaraj	02.06.2022
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39	No.63,64,65, East Mada Street, Thiruporur	55,000/-	1,65,000/-	No bidder		03.06.2022

These applications coming on this day before this Court for hearing the Court made the following order:-

The learned Administrator General and Official Trustee of Tamil Nadu (“AG & OT” for brevity) has filed the above application seeking permission to reduce 50% from the upset price fixed for last auction held for the properties in



Sl.Nos.2,4,5,7,12,13,14,15,16,17,18,19,20,21,22,23,25,26, 28, 29,30,33,36,37, 38 and 39 in the report filed in support of the above application.

2.In support of the prayer sought for in the above applications, the learned AG & OT has filed a report dated 14.06.2022, wherein, it has been stated as follows :

“The Administrator General and Official Trustee of Tamil Nadu [AG & OT] submits that as per the orders dated 29.04.2022 of this Hon’ble Court in A.Nos. 1955 & 1956 of 2022 **[D1]** the AG & OT was permitted to effect paper publication in one issue of “Daily Thanthi” in Chennai edition mentioning the details of letting out the Trust properties through public auction.

2. The AG & OT further submits that in pursuance of the said order the AG & OT had advertised the public notice in the Chennai edition of Daily Thanthi on 01.05.2022 calling for sealed tenders from the public for all the 39 vacant properties. The copy of the paper publication is marked as Exhibit **[D2]**. In response to the advertisement, this office had received the offers from various bidders only for 12 scheduled properties and there were no bidders for the remaining 27 properties proposed for auction.



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3. The AG & OT further submits that the public auction was conducted on the scheduled dates for 39 properties from 25.05.2022 to 03.06.2022 and accepted the highest bidder subject to the confirmation by this Hon'ble Court. The details of the public auction conducted are tabulated below for better appreciation.

1	Address of the Property (3)	Upset Price (6)	EMD in Rs (7)	Highest Bid Amount	Name of the Highest Bidder	Auction date
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4	No.47 Moore Street, Chennai - 1.	26,400/-	79,200/-	No bidder		25.05.2022
5	No.47 Moore Street,	45,000/-	1,35,000/-	No bidder		25.05.2022



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	Chennai - 1.					
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13	No.79, Prakasam Road, (Broadway), Chennai-1.	75,000/-	2,25,000/-	No Bidder		27.05.2022
14	No.80, Prakasam Road, (Broadway), Chennai - 1.	97,000/-	2,91,000/-	No Bidder		27.05.2022
15	New No.6, Old No.1, Narayana Chetty Lane,	22,500/-	67,500/-	No Bidder		27.05.2022



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24	No.125, Audiappa Naicken Street, Chennai - 1.	1,16,000/-	3,48,000/-	2,15,000/-	Bhagavathi Devi	31.05.2022
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	Veerappan Street, Chennai – 1.					
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39	No.63,64,65, East Mada Street, Thiruporur	55,000/-	1,65,000/-	No bidder		03.06.2022

5. The AG & OT further submits that no tenders were received for the properties in Sl. Nos. 2, 4, 5, 7, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 28, 29, 30, 32, 33, 36, 37, 38 and 39 respectively. As per the terms and conditions the bidder for Sl. Nos 1, 3, 6, 8, 9, 10,11,24,27,31,34 and 35 who knocked down the auction with the highest bid have submitted their 3 years Income Tax return filing / Bank Statements along with their applications.

6. The AG & OT further submits that the Income Tax were verified to know whether they are capable to pay rent once the



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lease is confirmed and the above 12 bidders were found eligible.

7. It is further submitted that, among the 12 highest bidders serial No.6 Tr. Ragavendra has given a letter stating that he is withdrawing from the auction and has requested to refund his EMD amount of Rs.22,200/- deposited by him.

8. It is further submitted that the auction for Serial No.32 Ayanambakkam Lands was discontinued as there was a contradiction in allocation of the total land extent which was combined with both commercial & agricultural lands with a total extent of 54.87 Acres (35.15 Acres for commercial & 19.72 Acres) between the two bidders who had participated in the auction and the highest bid amount came upto Rs.56,00,000/- for the commercial lands alone. Both the bidders who had participated in the auction has not raised any objection as to the upset price fixed. Hence, reduction in respect of Serial No. 32 need not be reduced.

9. It is further submitted that the total extent lie as one plot. Hence, the division of land as commercial and Agricultural need not be made. The total extent can be auctioned for commercial purpose and upset price may be fixed at Rs. 20,00,000/- per annum.



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10. The AG & OT further submits that the highest bidders for the properties are in Sl. Nos. 1, 3, 6, 8, 9, 10, 11, 24, 27, 31, 34 and 35 may be confirmed with direction to the applicant to execute 11 months lease agreement in favor of the highest bidders to the respective properties by collecting 3 months of security deposit and 7 months of caution deposit as the procedure adopted so far or as decided by the applicant, as the case may be.

Brief details are:

01.	Total properties brought for auction	39
02.	Bid received for total properties	12
03.	No bid received for properties	27
04.	Bidder withdrawn from the auction	01

11. The AG & OT further submits that there were no bidders for 27 properties. This may be due to the upset price being high for the said properties. It is submitted that the buildings available in the properties are very old and in dilapidated condition. Unless the upset price is reduced general public won't be interested to participate in auction. Hence, the AG & OT may be permitted to reduce the upset price for the above mentioned properties at least by 50%.



Except the property mentioned in Serial No. 32.”

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3. Since there were no bidders in the auction held between 25.05.2022 and 03.06.2022, the learned AG & OT has filed the above application seeking for reduction in the upset price. Instead of reducing the upset price by 50%, I am of the view that the upset price can be reduced by 25%. Accordingly, the upset price fixed on the earlier auction is permitted to be reduced by 25%.

4. With these observations, the application is disposed of.

Sd./-M.D.J

17.06.2022

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.