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**A. Nos.3158 and 3159 of 2021
in O.P.No.112 of 1906**

M.DURAISWAMY , J.

Learned Administrator General and Official Trustee has filed these applications seeking the following reliefs:

(i) If the respondent fails to handover the vacant possession within the time frame, the applicant should not be permitted to take over the vacant possession through police force; and

(ii) To direct the respondents to quit and deliver the vacant possession of premises in Door No.132B, Gandhi Road, Sriperumbudur, Kancheepuram – 602 105 to the applicant within a time frame.

2. In support of the prayer sought for in the applications, learned Administrator General and Official Trustee has filed a report dated 02.09.2021, wherein it has been stated as follows:

The Administrator General of Tamil Nadu humbly submits that the property bearing Door No.132-B, Gandhi Road, Sriperumbudur, Kancheepuram 602 105 belongs to the Trust Estate of S.V.Seshacharalu. The Administrator General is administering the Estate of Sriperumbudur Vikkirala Seshacharlu



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as Executor, appointed by the said Sriperumbudur Vikkiral Seshacharlu under his last Will. The testator has directed that after the lifetime of his wife, the house bearing No.132-B, Gandhi Road, Sriperumbudur should be turned into "Ramanuja Koodam" (Choultry) and allowed for the use of his relatives and Sri Vaishnavas who may come to that village (Sriperumbudur) on the occasion of Utsavams or at other times [D1].

2. The Administrator General further submits that this Hon'ble Court by its order dt.23.7.2010 in A.No.3842 of 2020 in O.P.No.112 of 1906, permitted the Administrator General to hand over possession of Ramanuja Koodam at No.132-B Gandhi Sriperumbudur to Embar Jeeyar Mutt, Sriperumbudur [D2]. Possession was handed over on 28.7.2010.

3. The Administrator General further submits that as per the orders of the Hon'ble High Court in A.No.3999 of 2011 in A.No.3842 of 2010 in O.P.No.112 of 1906 dated 04.11.2011, one Dr.C.Anbarasu was permitted to use the premises comprised in Shop No.1 and 2 of an extent of 205 Sq.ft. in the front portion with access to main road for rendering free medical services to the needy people.

4. The Administrator General further submits that the above mentioned property was inspected by the Administrator General of Tamil Nadu on 07.08.2021. On inspection it was found that a Hospital in the name of "Rajiv Gandhi Hospital" was



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run by Dr.C.Anbarasu in the premises wherein the patients are being charged at Rs.150/- per patient for the treatments even though the premises is being let out to provide free medical service for the needy patients as per the orders of this Hon'ble Court in A.No.3999 of 2011 in A.No.3842 of 2010 in O.P.No.112 of 1906 for rendering free medical services to the needy people.

5. The Administrator General further submits that during the time of inspection, Dr.C.Anbarasu was not available and a lady named Tmt.Girija relation of Dr.C.Anbarasu was present along with an Ayurvedic Medicine student. When enquired Tmt.Girija, she stated that the Hospital is run by Dr.C.Anbarasu and his family members. She also further stated that one "SBI Customer service" is being run in front of the premises by extending the front portion with GI Sheet, where unknown persons were found interacting with the Public.

6. The Administrator General further states that on enquiry with Thiru.Kasturi Ranganathan who is in charge of the Embar Jeeyar Mutt stated that the rent is not collected by them from the "SBI Customer Service" and they had been insisting the SBI Customer Service unit several times to vacate but in vain. He had submitted a letter dated 07.08.2021. In this regard, the Staff of office of AG & OT submitted a consolidated report with photographs and annexure [D4].

7. The Administrator General further submits that the



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Embar Jeeyar Mutt was let out free of rent in the name of Ramanujar Koodam" for the use of Vaishnavas on the occasion of Utsavams and other times and to Thiru.C.Anbarasu for running free Hospital to serve the needy patients as per the order of this Hon'ble Court. But on inspection, it was found that the said property was not utilized as per the directions of the Hon'ble High Court. The property was also found in dilapidated condition and not fit for conducting utsavams and for accommodation purposes.

8. The Administrator General further submits that as the said property was not utilized as per the directions of the Hon'ble High Court and the property is in dilapidated condition, a Note order was put up before the Hon'ble Portfolio Judge for the Administrator General and Official trustee of Tamil Nadu to evict the respondents from the subject property and it was approved by the Hon'ble Portfolio Judge on 04.08.2021[D5].

In view of the above, the Administrator General is, therefore, humbly submits and prays that this Hon'ble Court may be pleased to:-

(i) Direct the respondents to quit and deliver the vacant possession of premises in Door No.132-B, Gandhi Road, Sriperumbudur, Kancheepuram 602 105 to the applicant within a time frame;

(ii) if the respondent fails to handover the vacant possession within the time frame by this Hon'ble Court, the



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applicant may be permitted to take over the vacant possession through police force.

3. Though the notice sent to the first respondent has been duly served and their name has been printed in the cause list, none appears for them.

4. It is brought to the notice of this Court by the learned Administrator General and Official Trustee that the second respondent had already handed over the vacant possession of the property in his occupation to the learned Administrator General and official Trustee. Hence no relief need be granted in respect of the second respondent.

5. I am satisfied with the report filed by the learned Administrator General and Official Trustee. Hence these applications are allowed as against the first respondent.

29.07.2022

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M.DURAI SWAMY, J.

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