



O.P.No.25 of 2019

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C.V.KARTHIKEYAN,J.,

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The petition has been filed taking advantage of Section 7 of the Charitable and Religious Trust Act, 1920, by the petitioner Trust and represented by its Trustee in this petition.

2. It is stated that originally, John De Monte was a business man and philanthropist and by the Will which was probated on 28.09.1827 by the then the Supreme Court of Judicature at Madras he had bequeathed several properties to the Trust.

3. By this petition, the petitioner seeks to let out on lease one particular property which is measuring 4.59 grounds i.e., 11,016 sq.ft., at Door No.127/1, New Door No.1, Plot No.7 and 1, T.T.K. Road, Demonte Colony, Alwarpet, Chennai 600 018. Since, permission of the Court is required to enter into a such lease deed, the present petition has been filed.

4. It had been stated that on obtaining a prospective lessee, the lease deed would be entered into. For that particular purpose, to determine the



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competitive lease amount and also a prospective lessee, the petitioner had approached the Jones Sang Lasalle Property Consultants India Private Limited and the Senior Manager (legal) therein had been examined as P.W.2. To establish the bonafide of the petitioner, the petitioner had examined as P.W.1, the Power of Attorney of the Petitioner Trust, Rev. Father B.Stephen.

5. The Power of Attorney had been marked as Ex.P1 and the Documents relating to the Probate in the order of the then Supreme Court at Madras by which, permission was granted to deal with the property was marked as Ex.P5. The Will and the Codicil was marked as Exs.P3 and P4.

6. P.W.2, had filed his Proof Affidavit wherein, he had stated the nature of the business conducted by Jones Sang Lasalle Property Consultants India Private Limited. To substantiate the same, he had also filed Exs.P7 – P10, which are the copies of the project initiations and the commercialization approach and a copy of the Brochure.



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7. Mr.Sriram Panchu, learned Senior Counsel, also relied on the earlier orders of learned Single Judges of this Court wherein, similar permissions have been granted for lease of other properties owned by the Trust.

8. I am confident that the object of the Trust would be kept in mind by entering into a fresh lease and I am further confident that a competitive lease amount would be determined and also that the prospective lessee would keep up with the terms of lease if entered into by the petitioner.

9. Placing such caveat, the petition stands allowed. Permission is granted.

28.10.2022

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