



A.No.561 of 2022

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in
O.P.No.39 of 1927

S.VAIDYANATHAN,J.

This application has been filed for a direction to the learned Administrator General and Official Trustee (AG & OT), Trustee of A.Thirupathysamy Chetty Trust to refund Rs.10,00,000/- (Rupees Ten Lakhs only) towards the rental advance rent of Rs.18,11,335/- (Rupees Eighteen Lakhs Eleven Thousand Three Hundred and Thirty Five only) towards the rent and totally a sum of Rs.28,11,335/- (Rupees Twenty Eight Lakhs Eleven Thousand Three Hundred and Thirty Five only) paid by the applicant.

2. Learned Administrator General and Official Trustee (AG & OT) has submitted that they have approached the Tahsildar, Mambalam Taluk for mutation of records and that the amount paid as rent can be waived and after mutation of records, construction activities may be commenced by the applicant. The concerned Tahsildar, Mambalam Taluk is present before this Court for necessary assistance.

3. Learned counsel for the applicant has stated that more than three years have gone by and the amount is lying in deposit with AG&OT without any purpose.

4. It appears from the revenue records that the property in question belongs to the Government and the land is classified as Government Poromboke Land. The



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submission of the applicant that the title of the AG&OT is questioned in terms of revenue record and that they are not interested in continuing as tenant, is justified.

5. In view of the above, this Application is ordered and a direction is issued to the AG&OT to refund the amount within a period of four weeks from the date of receipt of a copy of this order. It is made clear that this order will not preclude the AG&OT in approaching the Tahsildar, Mambalam Taluk for the purpose of mutation of records and once mutation of records takes place and the property vests with AG&OT, it is open to the AG&OT to act on the property in accordance with law.

13.10.2023

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To:

The Administrator General and
Official Trustee of Tamil Nadu,
High Court, Madras.

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