



*A.Nos.728 to 730 of 2023*

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**in T.O.S.No.40 of 1995**

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**S.VAIDYANATHAN,J.**

These applications have been filed by the Official Trustee of Tamil Nadu, seeking following relief:

| <i><b>Sl.No.</b></i> | <i><b>Case No.</b></i> | <i><b>Prayer</b></i>                                                                                                                                                       |
|----------------------|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.                   | A.No.728/2023          | For a direction to the respondent to quit and deliver the vacant possession of 275 sq.ft. at D.No.29/30, Ground Floor (Back Side), Padmanaban Street, T.Nagar, Chennai-17. |
| 2.                   | A.No.729/2023          | For a direction to the applicant to take over the vacant possession through police force, if respondent fails to hand over the vacant possession.                          |
| 3.                   | A.No.730/2023          | For a direction to the respondent to pay the arrears of rent at the rate of Rs.8,500/- from January, 2011 to till handing over of vacant possession of the property.       |

2. There is no representation for the respondent.

3. Learned Administrator General and Official Trustee (AG & OT) has submitted that the Trust property is under the control of the office of AG&OT and the respondent is a trespasser, as the property was not let out to him originally. It is further submitted that though the rent has been revised after getting a report from the Engineer, the respondent has not come forward to pay the enhanced amount. It is also submitted that though notice has been served on the respondent and paper publication has also been effected subsequent thereto, the respondent has not chosen to appear before this Court.

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4. It is seen that service of notice on the respondent has been duly completed by way of substituted service, which is evident from the paper publication effected in a Tamil Daily attached in the memo. Hence, finding *prima facie* case in favour of the learned AG & OT, these Applications are ordered as prayed for, with the following directions:

- i) The respondent shall vacate and hand over the vacant possession of the Trust property to the Office of the AG&OT forthwith;
- ii) It is open to the AG&OT to collect the payment from the respondent towards rental arrears and damages in the manner known to law; and
- iii) If need be, the AG&OT can seek necessary police protection at the time of eviction of the respondent and if any such request is made, the concerned Police is directed to provide Police aid to execute the order of this Court.

**04.08.2023**

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To:

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

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