



A.No1785 to 1787 of 2022

A.No1785 to 1787 of 2022
in O.P.No.278 of 1948

S.VAIDYANATHAN,J.

These applications have been filed by the applicant, seeking following relief:

<i>Sl.No.</i>	<i>Case No.</i>	<i>Prayer</i>
1.	A.No.1785/2022	To grant long lease in the tenanted portion at No.21, Harrington Road, Chetpet, Chennai-600 031 for 25 years in applicant favour.
2.	A.No.1786/2022	To grant permission to the applicant to put up a new construction in the tenanted portion at No.21, Harrington Road, Chetpet, Chennai-600 031 for commercial and residential purposes.
3.	A.No.1787/2022	To grant reasonable time to the application to pay the arrears of rent at Rs.90,000/- per month instead of Rs.1,40,000/- per month.

2. When the matter is taken up for hearing, it is represented by the learned counsel for the applicant that within a period of five years, the rent has been enhanced from Rs.72,000/- to Rs.1,40,000/-, which is twice the amount already fixed.

3. Per contra, the learned Administrator General and Official Trustee (AG & OT) has stated that after proper assessment made by the PWD Engineer, the revised rent has been fixed, which is not on the higher side.

4. At this juncture, both parties have submitted that any amount that may be fixed by this Court can be accepted and agreeable.



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5. On earlier occasion, the applicant had agreed to pay Rs.90,000/- as rent and the amount enhanced now by the AG&OT based on the report of the PWD Engineer is Rs.1,40,000/- with a difference of Rs.50,000/-. Hence, this Court is inclined to fix a moderate amount of Rs.1,15,000/- as rent payable by the applicant, for which, learned counsel for the applicant, on instructions, has stated that the applicant has agreed for the same.

6. In view of the above, these applications are disposed of with the following directions:

i) The AG&OT shall enter into a lease agreement with the applicant herein, if not already executed, by fixing the rent of Rs.1,15,000/- per month as agreed by the applicant. The renewal of lease shall not exceed three years at any point of time and the renewal can be done periodically on expiry of upper time limit prescribed every year;

ii) The periodical rent revision shall be at the rate of 10% annually on the rent paid the previous year;

iii) The subject property will vest with the AG&OT and the renewal of lease will only be for the limited purpose of occupation, for which the subject property was



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leased out. It is made clear that the Applicant shall not make any alteration to the subject property without prior permission of the Court;

iv) The applicant shall pay the difference in amount towards rental arrears to the AG&OT within a period of one month from the date of receipt of a copy of this order.

13.10.2023

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To:

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



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