



A.No.4424 of 2022

A.No.4424 of 2022
in O.P.No.100 of 1954

S.VAIDYANATHAN,J.

This application has been filed, seeking permission to remove the old structure of the building, which is required to be removed immediately due to its dilapidated condition and other materials, including the naturally grown trees, bushes and plants, etc., in the said properties situate at Door No.14, Nagamani Mudali Street, Chindathiripet, Chennai-600 002 and in Door No.18, Swamy Pandaram Street, Chindathiripet, Chennai-600 002.

2. When the matter is taken up for hearing, learned Administrator General and Official Trustee (AG & OT) has submitted that entire amount has been paid and that the building is in dilapidated condition. He has further submitted that he has no objection for the building being constructed in accordance with the plan and the permission as sought in this application can be granted, subject to the conditions stated in Paragraph No.6 of the counter of the AG & OT, which is extracted below:

"6. The Official Trustee of Tamil Nadu humbly submits that apart from the above, the following conditions may also be considered:

(i) No sale or mortgage of either the land or the building should be made. Undertaking to be given.

(ii) Lease / Sub lease should not be given to any third party in respect of the super structure to be constructed. Under taking to be given.

S.VAIDYANATHAN,J.



WEB COPY



A.No.4424 of 2022

ar

(iii) Plan and planning permit and other statutory requirements to be done in the name of the respondent only.

(iv) The Possession of the land and building to be handed over at the end of the lease period. No claim for construction whatsoever in nature will be entertained.

(v) The property tax, electricity connection and CMWSSB connection to be in the name of the respondent only.

(vi) The applicants may be directed to deposit 10% of the cost of construction towards guarantee for completing the construction within the stipulated period and as advance amount which shall carry no interest and the said advance amount will be repaid at the time of the handing over of the vacant possession of the Land and building.

(vii) Rent revision on yearly basis of 10% may be ordered.

(viii) In the event of joint development of two properties into one building is ordered a new lease deed be executed by both the applicants as joint tenants."

3. In view of the above submission of the learned AG & OT, this Application is ordered as prayed for. It is made clear that the Applicant must ensure due compliance of the aforesaid conditions imposed by the learned AG & OT.

29.03.2023

ar

To:

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

A.No.4424 of 2022
in O.P.No.100 of 1954