



WEB COPY



A.No.5821 of 2022

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in
O.P.No.109 of 1942

S.VAIDYANATHAN,J.

This application has been filed to grant permission to do construction in leased / rented premises Nos.51 and 52, Moore Street, Broadway, Chennai-600 001 as per plan annexed in the typed set.

2. Learned Administrator General and Official Trustee (AG & OT) has submitted that the permission for demolition and reconstruction as sought in this application can be granted, subject to the conditions as stated in Paragraph No.4 of the counter of the AG & OT, which is extracted below:

"4. 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.

(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.



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(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.

13.04.2023

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To:

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

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