



A.No.4898 of 2023
in C.S.No.204 of 1915

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Reserved on: 09.07.2024

Pronounced on: 26.07.2024

P.B.BALAJI, J.

This application has been filed seeking permission to sell the land alone situate in Old Door No.2/10, New Door No.19, Tippu Sahib Street, Triplicane, Chennai-02, comprised in O.S.No.249, Old R.S.No.69, measuring about 2959 Sq.ft., of land alone more fully described in the schedule to and in favour of the respondent herein.

2.I have heard Mr.M.Sriram, learned counsel for the applicant and Ms.Keerthana R.Shenoi, learned counsel for the respondent.

3.The learned counsel for the applicant would submit that he is the Managing Trustee of Caku Jaliah Naidu Charities which owns several properties across the State of Tamil Nadu. He would further submit that one Caku Jaliah Naidu had executed a Will dated 30.07.1884, desiring that his property should be used for charitable purposes. After his death, a scheme decree came to be passed by this Court on 26.08.1917 and the properties mentioned in the affidavit numbering 5 are all forming part of the scheme decree. It is also submitted that one of the erstwhile Managing Trustee was



acting detrimental to the interest of the Trust and therefore, an application was moved in A.No.9846 of 2018 seeking to appoint the person as Managing Trustee. The said application was allowed on 27.02.2019 and thereafter, the applicant has been managing the properties of the charities.

4.It is submitted that the respondent is one of the residents in the property and he has also purchased the property, without being aware that the property belonging to the Trust and after being put on notice, he has agreed to purchase the suit property at the guideline value or the value fixed by the Advocate Commissioner in A.Nos.897 of 2023 and 4944, 3006, 3007 & 3008 of 2023, which is Rs.6,100/-. This application is allowed. However, in view of the passage of time and increase in property values, the Advocate Commissioner Mr.Krishna Ravindran is directed to inspect the property and fix the valuation of the property and file a report before this Court within a period of four weeks and on the basis of the said report, further orders regarding sale of the property shall be passed.

26.07.2024
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