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A.Nos.4994 to 4998, 5000 to 5002 of 2024  
in A.No.4342 of 2024 in O.P.No.278 of 1948

**A.Nos.4994 to 4998, 5000 to 5002 of 2024**  
**in**  
**A.No.4342 of 2024**  
**in**  
**O.P.No.278 of 1948**

**S.S. SUNDAR, J.**

The learned Administrator General and Official Trustee of Tamil Nadu (hereinafter referred to as “AG & OT” for brevity) is administering more than 150 Trust Estates. One of the important Trusts in Chennai is the Trust Estate of C.Kandasamy Naidu which is vested in the office of the learned AG & OT as per the last will of the testator on 21.05.1948 and as per the Letters of Administration of this Court in O.P.No.278 of 1948.

2.One of the properties of the Trust is a landed property with an extent of 51.87 Acres in Ayyanambakkam Village, Poonamallee Taluk, Thiruvallur District. The approximate total value of the property as revealed from the sources is around Rs.1000 to 1500 Crores. When this Court permitted the learned AG & OT to bring the property for public auction, there were some prospective lessees, who had not quoted a reasonable price to take the property on long term lease. Therefore, the learned AG & OT was forced to go for second auction and third auction.



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Though the prospective lessee offered a sum of Rs.4.01 Crores as annual rent for the building, this Court was not inclined to accept the offer, having regard to the market value of the property and other reasons.

3.On personal inspection, this Court found that the entire property is not identifiable on ground in view of the spontaneous growth of Karuvella trees and other unwanted trees and shrubs. We found that the land is not visible for any prospective lessee to have an inspection. Since the terms and conditions of the lease was also not conducive for anyone to bid for getting the property on short term lease, this Court found it advisable to go for fresh auction with fresh terms, after taking advice from property investment consultants and other experts in the field, so that commercial exploitation of the property will yield more income for the Trust. It is also noticed by this Court that the entire land need not be put to auction in one block and the property lies in different locations with different boundaries. It is stated that the entire property is located in seven different blocks.



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4.This Court gave permission to clean and clear the bushes, level the land, and to fence the entire extent of 51.87 Acres, so that the property can be viewed and inspected by any prospective investor. Following that, this Court, by order, permitted the learned AG & OT to engage sufficient number of JCBs, Tractors, Dozers and Hitachi for cleaning the property and also to proceed with fencing of the property by purchasing the materials and by engaging staff. It is to be appreciated that the learned AG & OT took pains and on personal inspection, this Court has to express its appreciation for the work undertaken by the learned AG & OT. More than 5 JCBs were engaged, apart from 2 Tractors, and Poclains were engaged initially for about 8 days. Subsequently, the learned AG & OT contacted the Agricultural Engineering Department of the State Government to hire their vehicles and Hitachi for the purpose of clearing the lands of the Trust. It is also brought to the notice of this Court that the learned AG & OT has already invited quotations from various concerns for purchase of fencing materials and concrete poles.



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5.Today, several applications filed by the learned AG & OT appear in the list. The details of the applications and the relief prayed for in the applications are as follows :

| <b><i>Sl. No.</i></b> | <b><i>Application No.</i></b> | <b><i>Prayer</i></b>                                                                                                                                                                                                                                                                                                                                                                            |
|-----------------------|-------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.                    | A.No.4994 of 2024             | To permit the learned AG & OT to purchase two used containers for the use of pole manufacturers meant for storing pole manufacturing materials at the cost not exceeding Rs.1.25 Lakh per container and to effect payment of actual cost.                                                                                                                                                       |
| 2.                    | A.No.4995 of 2024             | To permit the learned AG & OT to erect a bore well, fix motor, get temporary electricity connection, erect the ready made water tank, electrical installations and allied accessories for drawing and supplying water for RCC pole manufacturing and to effect payment of their actual cost and expenses.                                                                                       |
| 3.                    | A.No.4996 of 2024             | To ratify the payment of advance of Rs.1,00,000/- made to Kovai Classic Industries Pvt. Ltd. by way of cheque towards purchase of fencing materials such as Chain Link, Barbed wire and Binding wire and to effect further payment and transport cost separately.                                                                                                                               |
| 4.                    | A.No.4997 of 2024             | To permit Mr.Esakki Rajavel to cast RCC Poles at the work site.                                                                                                                                                                                                                                                                                                                                 |
| 5.                    | A.No.4998 of 2024             | To ratify the action of the learned AG & OT in engaging private JCBs at the hire charge of Rs.850/- per hour with Rs.500/- per day as driver beta, Poclain at hire charge of Rs.1,600/- per hour with Rs.500/- as driver beta per day and JCBs, Poclains and Tractors, that belongs to Agricultural Engineering Department at the rate fixed by the Government in G.O.No.214, dated 07.09.2022. |
| 6.                    | A.No.5000 of 2024             | To permit the office of the learned AG & OT to effect payment of Rs.1,23,133/- to private Poclain operator Mr.D.Chandrakumar of A.T.C.Global Services, whose services was availed till the Government Poclain was engaged and to permit to pay the bills raised by the private operator for availing the service of his JCBs and also to Agricultural Engineering Department,                   |



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| <b><i>Sl. No.</i></b> | <b><i>Application No.</i></b> | <b><i>Prayer</i></b>                                                                                                                                                                                                                                                  |
|-----------------------|-------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                       |                               | Government of Tamil Nadu.                                                                                                                                                                                                                                             |
| 7.                    | A.No.5001 of 2024             | To permit the learned AG & OT to purchase required number of granite boundary marking stones measuring 3 feet height at Rs.240/- per stone and to effect payment against delivery.                                                                                    |
| 8.                    | A.No.5002 of 2024             | To permit the learned AG & OT to purchase RCC concrete poles at Rs.448/- per pole from Mr.M.Esakki Rajavel of Devi Cement Works, Thoothukudi, and to engage him for erecting fence at the labour cost of Rs.35.40 per sq.ft. And to effect payment at the above rate. |

6.This Court has gone through the details furnished by the learned AG & OT in the report filed by the learned AG & OT dated 25.09.2024. This Court has personally visited the premises on few occasions and found that the work in progress was in considerable speed and the learned AG & OT, as well as the Deputy AG & OT, were almost on ground to supervise the entire work. Therefore, the fact that the machineries were engaged on ground as seen from the report, is verified by this Court. Similarly, engagement of vehicles belonging to Agricultural Engineering Department of Government and the acceptance of prices offered by Mr.M.Esakki Rajavel of Devi Cement Works, Thoothukudi, regarding concrete poles and the labour contract, appears to be reasonable.



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7.The learned AG & OT has sought for permission for purchase of used containers for use of pole manufacturers and for storing the fencing materials at a cost not exceeding Rs.1.25 Lakhs per container. Similarly, the learned AG & OT has sought permission for erection of bore well and fixing of motor and to get temporary electricity service connection for the purpose of extraction of water, not only for supplying to the RCC pole manufacturers, but also to show the quality of water to the prospective lessees. The said idea is appreciated. Similarly, the learned AG & OT has paid a sum of Rs.1,00,000/- to M/s.Kovai Classic Industries Pvt. Ltd. for supply of fencing materials like chain link, barbed wire and binding wire. The Survey Department had been directed by this Court to conduct a survey and fix the boundary line for the entire property of the Trust. During survey, the learned AG & OT informed this Court about the requirement of purchase of granite boundary marking stones measuring 3 feet height at Rs.240/- per stone.

8.This Court, having regard to the facts and the statement found in



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the report and after going through the entire report, is satisfied that all these applications are only in compliance of the directions of this Court, with the main object of making the property more visible and attractive to the prospective lessees and other entrepreneurs for commercial exploitation of the property, giving hope for reasonable rent to the Trust Estate. As a result, all these applications are allowed in the following lines :

- i. The learned AG & OT is permitted to purchase two used containers for the use of pole manufacturers meant for storing pole manufacturing materials at the cost not exceeding Rs.1.25 Lakh per container and to effect payment of actual cost.
- ii. The learned AG & OT is permitted to erect a bore well, fix motor, get temporary electricity connection, erect the ready made water tank, electrical installations and allied accessories for drawing and supplying water for RCC pole manufacturing and to effect payment of their actual cost and expenses.
- iii. The payment of advance of Rs.1,00,000/- made to Kovai Classic Industries Pvt. Ltd. by way of cheque towards purchase of fencing materials such as Chain Link, Barbed wire and Binding wire, is



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ratified and the learned AG & OT is permitted to effect further payment and transport cost separately.

- iv. Mr.Esakki Rajavel is permitted to cast RCC Poles at the work site.
- v. The action of the learned AG & OT in engaging private JCBs at the hire charge of Rs.850/- per hour with Rs.500/- per day as driver beta, Poclain at hire charge of Rs.1,600/- per hour with Rs.500/- as driver beta per day and JCBs, Poclains and Tractors, that belongs to Agricultural Engineering Department at the rate fixed by the Government in G.O.No.214, dated 07.09.2022, is ratified.
- vi. The learned AG & OT is permitted to effect payment of Rs.1,23,133/- to private Poclain operator Mr.D.Chandrakumar of A.T.C.Global Services, whose services was availed till the Government Poclain was engaged, and to pay the bills raised by the private operator for availing the service of his JCBs and also to Agricultural Engineering Department, Government of Tamil Nadu.
- vii.The learned AG & OT is permitted to purchase required number of granite boundary marking stones measuring 3 feet height at Rs.240/- per stone and to effect payment against delivery.
- viii.The learned AG & OT is permitted to purchase RCC concrete



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poles at Rs.448/- per pole from Mr.M.Esakki Rajavel of Devi Cement Works, Thoothukudi, and to engage him for erecting fence at the labour cost of Rs.35.40 per sq.ft., and to effect payment at the above rate.

9.Having regard to the nature of job undertaken by the learned AG & OT, this Court finds that, due to cost escalation or other variations, there may be additional expenses in buying and procuring and to pay to the Contractors on account of delay. For example, M/s.Devi Cement Works offered to supply the concrete poles at the rate of Rs.448/- per pole at a site at Thoothukudi. Roughly, the cost of transportation of each pole will be around Rs.81/-. Therefore, the learned AG & OT appears to have negotiated with the Contractor, so that he would do the casting work at the site in our presence. This will have a dual facility of checking the quality and to inspect whether curing is done properly as required. However, there will be a slight variation as the cost of materials at Tuticorin appears to be slightly lesser than cost of materials that have been procured at Chennai.



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10.In these circumstances, the learned AG & OT is permitted to spend upto 20% more than the rates approved in this order. After spending, the learned AG & OT may get approval from this Court by separate applications, by which, this Court will ratify such expenses after completion of work. The learned AG & OT is now directed to ensure completion of survey and laying of boundary stones as early as possible and complete the entire clearing and fencing process before the rainy season begins.

**26.09.2024**

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**S.S. SUNDAR, J.**

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**26.09.2024**