



Application No.6884 of 2023

R. MAHADEVAN, A.C.J.

This application has been filed seeking a direction to the respondent to enable the applicant to re-possess the land situated in Door No.21, Perianna Mudali Street, Seven Wells, Chennai 600 001.

2 In the auction conducted by the respondent/A.G. & O.T. for letting out the property in question for rent, the applicant partook and he was declared as the successful bidder and an agreement was also entered into between the parties on 19.03.2020. Pursuant thereto, an order was also passed for handing over possession on the same day.

3 Since the property was in a dilapidated state, the applicant filed A.No.122 of 2021 seeking a direction to the respondent/A.G. & O.T. to grant permission for demolition and reconstruction, which was dismissed *vide* order dated 11.02.2022 on the ground of default in payment of rental arrears and the respondent/A.G. & O.T. was directed to evict the applicant and take back possession. Accordingly, possession of the property also was taken by the respondent/A.G. & O.T. on 14.02.2022.

4 However, since the property was not occupied by anyone, the applicant filed another application being A. No.5566 of 2023, seeking re-possession, in which, by order dated 20.10.2023, the applicant was directed to pay the rental arrears in three equated instalments commencing from November 2023, which order has been complied with by the applicant.

5 Inasmuch as the applicant had complied with the order dated 20.10.2023, he had filed an application dated 01.12.2023 to the respondent/A.G. & O.T. seeking re-possession of the property under a new lease.



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THE HON'BLE ACTING CHIEF JUSTICE

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6 Under such circumstances, this application has been filed for the relief stated in the opening paragraph.

7 Today, when the matter was taken up for hearing, the respondent/A.G. & O.T. submitted that the rent per sq. ft. works out to Rs.75/- and that the property is yet to be measured.

8 The learned counsel for the applicant submitted that the applicant is inclined to pay a sum of Rs. 60/- per sq. ft. towards monthly rent and also advance, if any, for the purpose of re-possession of the property.

9 Considering the submissions made on either side, this Court permits the respondent/A.G. & O.T. to enter into a lease agreement with the applicant for a period not exceeding 3 years @ Rs.60/- per month per sq. ft. on the applicant fulfilling all the requirements to be stipulated by the respondent/A.G. & O.T. It is made clear that the lease agreement shall be entered into after the property is measured and the extent fixed.

This application stands disposed of with the above direction.

07.06.2024

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