



A No.2260 of 2025
in
Tr.C.S.No.31 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-09-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

A No. 2260 of 2025

in

Tr.C.S.No.31 of 2022

Mrs.Rajalakshmi Selvarangan
W/o. Late Dr.A.B.Selvarangan,
C-37, Seventh Street,
Anna Nagar,
Chennai - 600 102.

Applicant/Plaintiff

Vs

1.Ms.S.Sahana

2.Mr.S.Siddarth

3.Ms.B.Sudisha

4.Ms.B.Meghana

5.M/s. VAYA Life Private Limited
Represented
By its Director
Mr.Vasanthakumar Sripathy,
Ground Flor, No.129, Harington Road,
Chetpet, Chennai 600 030.



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6.Mr.K.PP.Ramakrishnan,

7.Mr.S.Thanigaiarasu

8.Mr.Senguttuvan,

9.Mr.Mahaboob Bahsha

10.Mr.Abraham Varghese

11.Mr.T.V.Subramaniam,

12.Ms.A.P.Hemavathi

13.Ms.C.Lalitha

...Respondents/Defendants

For Applicant(s):

Mr.S.Rajkumar
for M/s.D.R.Raghunath

For Respondent(s):

Mr.Avinash Wadhwani
for M/s.V.Srimathi
for R1 and R2

No appearance for
R3 to R5

Mr.P.Krishnan
for R6, R7, R9 to R13

R8 – No appearance



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ORDER

This application has been filed by the applicant/plaintiff to order a payout of Rs.19,81,630/- along with the accrued interest, which was deposited by the fifth to thirteenth respondents before this Court.

2. According to the applicant/plaintiff, her husband, the late Dr.A.B.Selvarangan, settled the property through Settlement Deeds dated 04.07.2022, registered as Document Nos.1300, 1301, 1305 and 1306 of 2002, with the superstructure constructed in the Ground Floor plus three floors in favour of his four grand children, equally allotting respective floors to them, retaining life interest for himself and for his wife, namely Mrs.Rajalakshmi Selvarangan, the applicant/plaintiff herein, including the right to lease and collect the lease rentals from the suit schedule property during their respective lifetimes.

(b) The applicant/plaintiff's husband Dr.A.B.Selvarangan, died on 30.08.2021. As per the Settlement Deeds dated 04.07.2022, the applicant



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has life interest over the Suit Schedule Property and she is entitled to receive the monthly rent over the Suit Schedule Property during her lifetime and the same was also confirmed by the Hon'ble Division Bench of this Court in O.S.A.No.157 of 2022.

(c) Already this Court permitted the applicant/plaintiff to take out the amount deposited by the tenants for the salary of the supervisor, security men and housekeeping persons to maintain the Suit Schedule Property and the salaries of the personal attendants of the applicant/plaintiff and also for maintenance of property and to carry out the repair works.

(d) The applicant/plaintiff has a fixed continuous monthly commitment to pay to Security and the Manager to take care of and maintain the Suit Schedule Property and also payment to personal attendants to take care of the applicant/plaintiff and her routine activities. Therefore, she now needs the said amount deposited by the tenants to the tune of Rs.19,81,630/- along with accrued interest. Therefore, the applicant filed this application.



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3. The respondents/defendants have stoutly denied to receive the said amount by the applicant/petitioner on the ground that the applicant has not filed any documents to show that the said money is needed for the purpose mentioned in the application and already she has received more than Rs.50,00,000/- (Rupees Fifty Lakhs only) but no accounts have been produced for the spending of the above said amount. Therefore, they strongly opposed to allow this application.

4. This Court heard both sides and perused the records.

5. The main suit is filed by the plaintiff for the relief of declaration to declare that the plaintiff is entitled to receive the lease rentals in respect of the Suit Schedule Property during her lifetime in terms of the Settlement Deeds dated 04.07.2002 and also for the mandatory injunction directing the 5th to 13th defendants to pay the rent and the permanent injunction restraining the 1st to 4th defendants from collecting the rent amount from the tenants in respect of the Suit Schedule Property.



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6. The original applications in O.A.No.121 of 2022 to grant an interim injunction restraining respondents 1 to 4 from collecting the lease rentals with regard to the suit property and another O.A.No.122 of 2022 to grant an interim mandatory injunction directing respondents 5 to 13 to deposit their respective rent of the said property were allowed and thereafter, appeals were preferred against those orders and the same were also dismissed.

7. Thereafter, the applicant filed an application in A.No.3517 of 2022 in O.A.No.122 of 2022 in Tr.C.S.No.31 of 2022. This Court already allowed to take out the payment of Rs.11,11,396/- from the rents accumulated in the Suit Schedule Property and thereafter, through an order dated: 25.04.2023 in A.No.2285 of 2023 in Tr.C.S.No.31 of 2022, permitted the withdrawal of the amount of Rs.21,95,558/- for carrying out repair work and through an order in A.No.4792 of 2023 in Tr.C.S.No.31 of 2022, permitted the withdrawal of amount of Rs.19,48,006/- to carry out the repair works.



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8. Though the respondents/defendants have raised objections for withdrawal of the above said amount, this Court permitted withdrawal of the said amount. But the respondents have not challenged the said orders. Therefore, this application is also filed for withdrawal of the amount for maintaining the suit property and the salaries for the servants.

9. The main contention of the respondents/defendants is that the applicant/plaintiff has not filed any documents regarding the amount needed for the salary of the staff and maintenance. The applicant/plaintiff also has not filed any documents for the need of a quantum of money. However, already this Court also permitted the withdrawal of more than Rs.50,00,000/- (Rupees Fifty Lakhs only), but so far, the applicant has not filed any accounts for that. Therefore, now the available amount is Rs.19,81,630/- and without any breakup details, the applicant/plaintiff has filed the application for withdrawal of the amount. Hence, considering the rival submissions and the earlier orders passed by this Court, it is appropriate to permit the applicant/plaintiff to withdraw Rs.15,00,000/-



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(Rupees Fifteen Lakhs only) from the amount of Rs.19,81,630/-. The applicant/plaintiff is liberty to approach this Court, if any additional funds are required, by producing the documents. Therefore, the applicant/plaintiff is now only entitled to withdraw the amount of Rs.15,00,000/-(Rupees Fifteen Lakhs only).

10. With the above-said direction, this application is partly allowed.

18-09-2025
(1/6)

dk

To
1. Ms.S.Sahana
D/o Dr.S.Selvakumar
No.51, New No.9 E Block Third Street Anna Nagar
East, Chennai 102.

2. Mr.S.Siddarth
S/o Dr.S.Selvakumar
No.51, New No.9
E Block Third Street Anna Nagar, East
Chennai 600 102.



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3. Ms.B.Sudisha
D/o S.Balasubramani,
C-32, 7th Street, Anna Nagar,
Chennai 600 102.

4. Ms.B.Meghana
D/o S.Balasubramani
C-37 7th Street, Anna Nagar,
Chennai 600 102.

5. M/s Vaya Life Private Limited Represented
By Its Director Mr.Vasanthakumar Sripathy,
Ground Flor, No.129, Harington Road,
Chetpet Chennai 600 030.

6. K.P.Ramakrishna
First Floor, Flat No.1a,
No.129, Harington Road,
Chetpet Chennai 30

7. THANIGAIARASU
First Floor, Flat No.1b,
No.129, Harington Road,
Chetpet Chennai 600 030.

8. SENGUTTUVAN
Second Floor, Flat No.2a,
No.129, Harington Road,
Chetpet Chennai 600 030.

9. Mahaboob Bahsha
Second Floor, Flat No.2a, No.129 Harington Road
Chetpet, Chennai 600 030.



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10. Abraham Varghse
Second Floor, Flat No.2c
No.129, Harington Road,
Chetpet, Chennai 600 030.

11. SUBBU
Third Floor Flat No.3a, No.129, Harington Road,
Chetpet, Chennai 600 030.

12. A.P.Hemavathi
Third Floor, Flat No.3b No.129, Haringon Road,
Chetpet Chennai 600 030.

13. C.Lalitha
Third Floor, Flat No.3c
No.129 Harington Road,
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