



WEB COPY

A No. 4320 of 2021



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 10-07-2025**

CORAM

**THE HONOURABLE MR JUSTICE R. SUBRAMANIAN**

**A Nos. 4320 of 2021**

**in**

**T.O.S.No. 5 of 1941**

Official Trustee of Tamil Nadu  
Madras High Court Campus, Chennai  
600 104.

Applicant(s)

Vs

P.Selva Mahesh Raja now known as  
P.J.Mahesh Raja (Deceased)  
B Block 36, 6th Street, Anna Nagar,  
Chennai 600 102. AND 3 OTHERS

Respondent(s)

For Respondent(s): M/s.A.Ganesh  
G.Geetha  
G.Gautam For Respondent  
D.No.5956/2022, A.No.4320 To  
4323/2021  
Vak Filed On 24.02.2022, Retd  
On 02.03.2022



## **ORDER**

WEB COPY

The Official Trustee has prayed for eviction of the respondent on the ground that he has damaged another Trust property, in which, he was a tenant when he was asked to vacate. The lease expires on 31.03.2029.

2. Mr.A.Ganesh, learned counsel appearing for the respondent would submit that he is ready to pay 5% increased rent over and above the current rent and the legal heirs of the original tenant may be allowed to continue in occupation of the property till the end of the lease period.

3. Considering the fact that the lease rent was fixed almost 20 years ago, of course, with 15% increase in every 3 years, I find that it will be onerous to direct the tenants to vacate at this point of time, even during the currency of the lease.

4. However, considering the behaviour of the original tenant namely, the predecessor of the respondent, there will be a direction to the respondent to pay an enhanced rent of 10% over and above the existing rent from 01.08.2025, till the expiry of the lease. Upon expiry of the lease, the rent will be re-fixed, taking into account the prevailing circumstances at that point of time.

**10-07-2025**

kkn

Index:No

Speaking

Internet:Yes

Neutral Citation:No



A No. 4320 of 2021



To

1.P.Selva Mahesh Raja now known as  
P.J.Mahesh Raja (Deceased)  
B Block 36, 6th Street, Anna Nagar,  
Chennai 600 102.

2.Vanitha Mahesh  
W/o.P.J.Mahesh Raja,

3.M.Raj Pradheep  
S/o.P.J.Mahesh Raja

4.Sandeep Kumar  
S/o.P.J.Mahesh Raja, 2 to 4 are residing  
at B Block 36, 6th Street, Anna Nagar,  
Chennai - 600 102. (Respondents 2 to 4  
brought on record as legal heirs of the  
deceased 1st respondent and the  
amendment carried out as per order  
dated 25.04.2025 and time extended by  
order dated 12.06.2025)



WEB COPY

A No. 4320 of 2021



**R.SUBRAMANIAN J.**

KKN

**A No. 4320 of 2021**

**10-07-2025**