IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 12th DAY OF DECEMBER 2019

THE HON'BLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY

O.P. No.886 of 2019

In the matter of the Charitable and Religious Trust Act, 1920

and

In the matter of the Public Trust of Sir John Demonte Trust

Sir John Demonte Trust,
rep. by its Sole Trustee,
Most Rev. Dr.George Antonysamy,
Archbishop of Madras-Mylapore,
Archbishop's House, No.41,
Santhome High Road,
Chennai-600 004
rep. by his Power of Attorney ... Petitioner

Original petition praying that this Hon'ble Court be pleased that in the interest of justice and equity, to approve the scheme framed by the petitioner trust in paragraph 10 to 12 to lease the land namely land situated in Plot No.35, New Door No.23, Old Door No.11, Plot No.36, New Door No.21, Old Door No.10, Plot No.37, New Door No.19, Old Door No.9, in total extent of land 5.72 grounds approx. (13748 sq.ft.), Demonte Colony Street, Demonte Colony, Alwarpet, Chennai-600 018, comprised in S. No.3676 part, Block No.73, Mylapore Village, Triplicane-Mylapore Taluk, Chennai District, Corporation of Chennai, bounded on the North by: Land belonging to Sir John Demonte Trust, South by: Land belonging to Sir John Demonte Trust, West by: Demonte Colony Street, East by: Land in Survey No.3674, situated within the Registration District of Chennai-Central and Sub Registration at Mylapore, morefully described in the schedule hereunder, as per the aims and

NOTARY
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M.A.,M.Ed.,B.L.,
CHENNAI
Regn. No: 8117/2010
Expiry Dt.
05.07.2025
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Do 0046981

objects and the purpose for which the Trust was created and as per the order passed by the Supreme Court dated 14.12.2011 in Civil Appeal bearing No.3052/2006, by,

a) Calling for public offers by placing advertisement in Newspaper;

b) to scrutinize the offers in consultation with the property consultant appointed by the petitioner, and select the most advantageous offer, in the best comprehensive interest of the petitioner, and;

c) to execute registered lease deed with the prospective lessee.

This Original Petition along with O.P. Nos.887 to 890 of 2019 coming on this day before this court for hearing in the presence of Mr.Sriram Panchu, Senior Cousel for M/s.Auxilia Peter, advocates for the petitioner herein and upon reading the petition filed herein and the other exhibits therein referred to and upon perusing the evidence adduced therein, it is ordered as follows:-

That the scheme framed by the petitioner trust be and is hereby approved to lease the land morefully setout in the schedule hereunder.

2. That the property consultant had set out terms and scope of work for the said schedule property after a thorough market survey and the same is as follows:-

Particulars	Proposal Details
Tenant	Corporate House
Land Area	5.72 Grounds approx.(13748 sq.ft.)
Lease Tenure	33 years
Upfront consideration	Payable upon execution of definitive lease
Lease Rental/month	Per the entire land and superstructure to be constructed payable every month from the execution of definite lease agreement

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Particulars	Proposal Details
Total consideration to Trust	Upfront cumulative and lease rental
End-use Construction Cost	Lessee's responsibility
Maintenance Cost	Lessee's responsibility
Registration & Stamp Duty	Lessee's responsibility
GST	Lessee's responsibility
Property Tax	Trust's responsibility

3. That the petitioner herein, proposes to place advertisement in the newspaper calling for offers for taking the property on development and lease.

4. That the said offers shall be scrutinized by the petitioner and the property consultant and the best offer shall be selected based on the terms offered as also the credibility and reliability of the person making the offer so that the transaction is in the comprehensive best interest of the petitioner.

5. That the petitioner herein shall enter into a registered lease deed and other related documents with its prospective lessee.

SCHEDULE

All that piece and parcel of land situated in Plot No.35, New Door No.23, Old Door No.11, Plot No.36, New Door No.21, Old Door No.10, Plot No.37, New Door No.19, Old Door No.9, in total extent of land 5.72 grounds approx. (13,748 sq.ft.), Demonte Colony Street, Demonte Colony, Alwarpet, Chennai-600 018, comprised in S. No.3676 part, Block No.73, Mylapore Village, Triplicane-Mylapore Taluk, Chennai District, Corporation of Chennai, bounded on the,

North by: Land belonging to Sir John Demonte Trust,

South by: Land belonging to Sir John Demonte Trust,

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Do 0046983

West by: Demonte Colony Street,
East by: Land in Survey No.3674,
situated within the Registration District of Chennai-Central and Sub Registration of Mylapore.

WITNESS THE HON'BLE THIRU AMRESHWAR PRATAP SAHI, THE CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 12th DAY OF DECEMBER 2019.

Sd./-
ASSISTANT REGISTRAR (O.S.II)

//Certified to be true copy//
Dated at Madras this the 29th day of January 2020.

29/1/2020
COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

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Mobile : 98411 22650

Do 0046984

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T-27.01.2020

O.P. No.886 of 2019

ORDER

DATED: 12.12.2019

THE HON'BLE MR. JUSTICE
SENTHILKUMAR RAMAMOORTHY

FOR APPROVAL: 28/01/2020

APPROVED ON :28/01/2020

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HIGH COURT
ORIGINAL SIDE
C.A. No. 16819
12-12-19
29.1.2020
29.1.2020
29.1.2020
29/1/2020