Sedt. II-27-14

54

EDUCATION 1947 (195) Departme

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(Ms). **SERIES.**

G.O. NO. 2711

Dated 1[illegible]th December 1947

(89)

[Despatch Abstract.]

Land Acquisition - Madras City - Mylapore R.S.No.870/4 - Site for construction of buildings and for playground for the National High School for girls Triplicane Withdrawal notification - published.

Department.	Date.	G.O.	No.	Dep

Further Papers.

No.	Department.	Date.	G.O.	No.	Depar
62118/	50-4 Edn	6-11-50			

செப்பனிடுபவர் பெயர் T.V. [illegible]

செப்பனிடுவதற்காக எடுத்துக் கொள்ளப்பட்ட நாள் 3/24

செப்பனிட்டு முடித்த நாள் 5/24

31/05/24

சரிபார்க்கும் மு.பா.எ. கையொப்பம்

ஆராய்ச்சி உதவியாளர் கையொப்பம்

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2

Before the Government of Madras (Education & Public Health Dept.)

~~In the High Court of Judicature at~~ Madras.

~~No~~ of ~~194~~ .

~~Against~~ ~~No.~~ of ~~194~~ . on ~~the file of the~~.........................

54344

Petition of Rao Sahib V. M. Lakshmi Narasimhacharya and C. R. Jaganathan Pillai, Trustees of Sri Parthasarathyswami temple Triplicane, Madras ~~Appellants~~ / Petitioners

Respondents.

I/We Rao Sahib V. M. Lakshmi Narasimhacharya and C. R. Jaganathan Pillai trustees of the above devasthanam.

~~Appellants~~-Petitioners / ~~Respondents~~ in the above ~~Appeal~~ / Petition do hereby appoint and retain

Mr. K. E. RAJAGOPALACHARI,

Advocate of the High Court, to appear for ~~me~~ / us in the above ~~Appeal~~ / Petition and to conduct and prosecute ~~(or defend)~~ the same and all proceedings that may be taken in respect of any application connected with the same or any decree or order passed therein including all applications for return of documents or the receipt of any monies that may be payable to ~~me~~ / us in the said ~~Appeal~~ / Petition and ~~also in appeals~~ under Section 15 ~~of the Letters Patent~~ ~~and in applica~~tions ~~for leave to~~ appeal ~~to His~~ Majesty in Council and in all applications for review of Judgment.

I certify that the contents of this vakalat were read out and explained in in my presence to the executant who appeared perfectly to understand the same and made his/her, their signature in my presence.

× V. M. L. Narasimhachary

× C. R. Jaganatha Pillai

Executed before me this 14th day of Sept. 1946. Trustees of Sri Parthasarathy Swami Devasthanam Triplicane, Madras.

The Address for service of the said Advocate **Mr. K. E. Rajagopalachari** is at No. 2/72, Thulasinga Perumal Koil Street, Triplicane, Madras.

To

The Government of Madras,
Education and Public Health Department,
Fort St. George.

The humble petition of Rao Sahib V.M.Lakshminarasimhachariar and C.R.Jagannatham Pillai the trustees of Sri - Parthasarathy Swami Temple, Triplicane, Madras is as follows:-

(1) The devasthanam is possessed of R.S.No. 870/2 known as "Mettukulam Garden" measuring about 54 grounds bordering on the Ice house Road and Erusappa Gramani Street, Triplicane. The garden was neglected for a number of years and even the wire fencing was cut by wayfarers. After the temple got possession of it in 1939 from the then lessee the trustees had a layout prepared and sanctioned assmall plots but the scheme was not pushed through for various reasons.

(2) In the meantime the demand for the plots was increasing. Sri Parthasarathy Swami Sabha wanted 8 to 10 grounds and offered to pay Rs.6/- perground as rent. The National High School (Girls) Triplicane, applied for 25 grounds on a monthly rent of Rs.100/- (Vide:- Document (1) and (2) filed along with the petition. While on the onehand influential pressure was brought to bear on the~~m~~ trustees they also found it difficult to embark on a costly scheme of erecting compound walls ,Cowshed, horrse shed, and Elephant shed and a flower garden at the present juncture of financial pressure involving increasing prices and decrasing interest.

(3) One A.B.Sambandam residing at No. 25 Nallanna Mudali Street, Royepettah had placed an offer for the whole plot of 54 grounds at Rs.1500/- per ground which will come to Rs.80000/- and also pay the full value of the superstructure standing therein (Vide document No. (3) filed with this petition.)

(4) The temple is in need of the land for several purposes. It cannot get an open land near the temple like the present one at any time. However the trustees considered, that it will be better to sell the whole plot including 2 superstructures on it for the highest price available in case the temple has to part withit. They therefore placed the matter before the Hindu Religious Endowments Board.

(5) On further enquiries they learnt that the land hasbeen valued at Rs.1000/- per ground by the Revenue authorities while the land value for the last 4 or 5 years had grown up enormously. ~~We~~ The trustees expect anything bordering on Rs.2000/- per ground ifthe plot is to be sold in auction and ~~we~~ they do not see why the devasthanam which is also a public institution should not get its legitimate return for the sale of the land.

(6) The president of the Hindu Religious Endowments Board was pleased to inspect the locality and after duly considering all aspects of the case and in the intersts of the temple and with a view to secure the highest value passed an orderon 2-9-1946 authorising the trustees to sell the property in open public auction after publicity and due intimation of the Board

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sufficiently in advance so as to enable it to depute an officer of the Board to be present at the time of auction." The upset bid was fixed at Rs.1500/- per ground and the sale was to be made on the distinct understanding that it is subject to the confirmation of the Board. The sale was directed to be advertised in at least one issue of the "Hindu" and in one issue of the "Swadesamitran" and by circulation of hand bills and affixture on the notice of the Devasthanam. Other directions regarding the initial deposit and for payment of the bid amount were also given (vide document No. 4 filed along with this application).

7. The trustees in pursuance of this direction fixed the auction on the 15th Septebmer 1946 and duly advertised it in the papers. Eversince enquiries are being made by many persons including the authorities of the Hindu High School and the trustees expected a very high bid at the intended auction.

8. The petitioners are suddenly ~~xx~~ served with an order from the Board asking them to stay the sale in view of the intended proceedings to acquire about 54 grounds for the National Girls School, Triplicane. vide document No. 5 filed along with this application. The petitioners also understand that the Government has also sent a direction to the Board to instruct the trustees not to take ~~x~~any steps for the disposal of the property.

9. The petitioners humbly submit that the order staying

the auction of the property is highly detrimental to the interest of the temple for the following reasons:-

(a). The Government seems to have estimated the cost at about Rs.62,000/- only whereas the present offer is more than Rs.80,000/- and it is expected that in view of the present demand a much larger price will be fetched at the public auction. The Devasthanam charity stands to lose as the valuation in acquisition proceedings will be based upon considerations such as the price fetched for similar plots in recent years and so on where as the demand at present for the property is very high due to present conditions of the money market.

(b). The Correspondent, National (Girls) High School Triplicane only wanted 25 grounds to serve the intended purpose when he applied directly to the trustees and there is no reason why Government should go to help him to get more than double the extent required.

(c) The acquisition proceedings are at a very preliminary stage and the trustees have so far never been informed of them except in the recent communication from the Hindu Religious Endowment Board. All that appears to have been done is that the Government have sanctioned the inclusion in the list of approved works a scheme for the acquisition of land for the National school (Girls) Triplicane. Even the preliminary notice under 4 (1) of the Land Acquisition Act stating that a land in the locality is needed or liekly to be needed for any public purpose has not been notified. It is only expected that such a notice

Notified [illegible]

(M)

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maybe rather true [illegible]

may be published and even so there is time for objection within 30 days after the issue of the notification, and thereafter only after duly considering the report which will be submitted by the Collector and after hearing the objections etc. under section 5-A a declaration that particular land is needed for a public purpose will be made by the Government under section 6 of the Land Acquisition Act. The Government may withdraw from the acquisition till it takes possession, and one of the reasons that will be taken into consideration is the actual compensation that may have to be paid, which may be far in excess of the original estimate.

(d) The Government may get no interest in the property even by a notification under section (4) which only says that land in the locality is likely to be needed for a public purpose and the identity of the ground itself has be determined only by a notification under section (6) (vide 1940 Sind 589 (A.I.R.) and 59 M.L.J. 274. It is only after a notification under section 6 A which is a long way off in this case, the Government may acquire the land in the manner set out in the subsequent sections of the Act.

The design of the relevant provision of the Act has been discussed in 59 M.L.J. 274 in the following terms by Mr. Justice Venkata Subba Rao:

"As I have said the proceedings have not gone further than the issue of preliminary notification. The difference between section (4) and section (6) is that whereas the former section refers to land in a particular locality, the latter contemplates a particular land and again whereas under section (4) it must only appear to the Government that land is needed or likely to be needed for a public purpose, under section (6) it must be finally satisfied that it is needed. It is only when the second stage referred to in section (6) is reached that the Government is to make a declaration as pointed in that section. x x x What the Government has so far done to merely to outline its intentions in this respect. There is nothing to prevent it from changing its mind, and the point of time that matters is the date of declaration and not any earlier date x x x This must be deemed to be a tentative proposal which may or may not be adhered to at the time when the final declaration is made."

At this stage there is no question of any complication arising out of a sale to another person who will become the person interested in the land.

(e) The whole question of compulsory acquisition will arise only if the land lord is not willing to part ~~xxx~~ with the property. At this stage there is nothing to prevent the authorities of the National High School (Girls) from bidding and taking the property in open auction as the highest bidder and if the idea is toget the property to the school for a lesser price it is depriving the temple to the corresponding extent. The decision of the P.C. in 43 M.L.J. 419 is instructive on this point. In this case an argument was advanced that when once proceedings for compulsory acquisition have been set on foot (here from the statement of fact it ~~was~~ would be seen ~~informed~~ that see 6(1) ~~a xxxxxxxx txxxxxxxx~~ declaration ~~be~~ being made) the interested parties cannot come to any binding agreement regulating the amount of purchase price and the suggestion was that it should be left to the Collector to declare it by an award. The P.C. held that there is nothing in the Land Acquisition Act to negative any such right and added 'the Act certainly does not directly affect such a result nor can their Lordships

ascertain any reason why the fact that compulsory ~~fact~~ acquisition have been ~~involved~~ invoked in order to secure property from unwilling vendors should be regarded as ~~demanding~~ denuding all right~~s of~~ parties they possessed before proceedings began." In this case under reference, the question was with reference to an agreement as to value arrived between parties after a ~~date not even~~ declaration was made ~~,~~ under section 6 (1) for compulsory acquisition. So far as the present case is concerned as it is prior to even to the declaration stage, the rights of parties remain in tact and there cannot be a direction to stop a sale merely because the parties are subject to the supervision and control ~~xx~~ of ~~an order~~ another arm of the Government by the H.R.E. Board.

10. Under the Land Acquisition Act before the Government proceeds to publish a declaration under section 6 (1) the objections should be gone into by the Collector and it is only after considering the estimate.report objections ects. the Government decides in favour of the acquisition or otherwise and thereafter it orders a declaration. The present order of the Government to stay the sale is contrary to the whole scheme of the Land Acquisition Act and is clearly ultra vires.

A

11. It is further respectfully submitted that the premier Religious Institution in the City like Sri Parthasarathy Swami Devasthanam, Triplicane is entitled to as much consideration and its interest is as much to be secured as that of the National School (Girls) Triplicane at the hands of the present Government.

12. The direction of the Collector as well as the Government to stay the Public Auction at this stage is illegal and is also unjust to the Devasthanam. The petitioners therefore pray that the Government of Madras will be pleased to cancel its direction and that of the Collector to the H.R.E. Board asking them to instruct the trustees of Sri Parthasarathy Swami Devasthanam to stay the auction of Mettukulam garden referred to above, and to stay the land acquisiti proceedings pending the disposal of this application.

M. Narasimhachary

C. R. Jaganatha Pillai

Trustees of Sri Parthasarathy Swamy
Devasthanam.

Madras,

Dated 4 Septr. 19469

Document No (1) referred to in the application to Board

(7) 10

The National Education Society
(REGD.)

In Management of
THE NATIONAL HIGH SCHOOL (GIRLS) & THE NATIONAL SECONDARY SCHOOL, Triplicane

Secretary:
N. K. THIRUMALACHARI

No. 11, 'Janardhan'
Edward Elliot Road, Mylapore,

Madras 23rd sept. 1945

24.9.45

The Trustees,
Sri Parthasarathy Swami Koil Devasthanam,
Triplicane.

Sirs,

Re. Lease of 25 grounds of the Mettukulam gards for the construction of our school building, hostel, playground etc.

~~With~~ I have the honour to draw your kind attention to my letter dated 12th Sept. 1945 and to request the favour of an early decision on the matter.

Thanking you,

Yours faithfully,

N K Thirumalachari

FOUNDER- SECREATY AND
CORRESPONDENT

Copies to
1. Rao Bahadur V.Ranganatham Chettiar
2. Sriman. Lakshminarasimhachariar
3. Sriman. C.R.Jagannatham :Pillai.

Document No. 1 filed along with this petition

12

(8)

SRI PARTHASARATHY SWAMI TEMPLE

The Board of Supervision

Triplicane No.114 Madras. 7-10-1945

A. Ilayalwar Naidu

A. Ranganatha Mudaliar

The Secretary
Board of Supervision
Sri Parthasarathy Swami Temple
Triplicane

The ~~Trustees~~ Dharmakarthas
S.P.S. Temple
Triplicane

Dear sirs,

The following resolution of the Board passed at its meeting held on Sunday the 7-10-45 is communicated to you for your information and favour of necessary action.

3. PLOTS IN METTUKULAM GARDENS: LEASING OF:-

X X X X X X

(1) The reservation of 21 grounds for the temple. The Board feels that the same may be utilised for the construction of A Dharmasala want of which is highly felt by the incoming pilgrims for the festival and flower gardens etc.

(2) the lease of 8 grounds to Sri Parthasarathy Swami Sabha already recommended for a period of 21 years with right to renewal.

(3) and the lease of 25 grounds to the National High School(Girls) Triplicane for a period of 50 years with a right to renewal.

X X X X

Yours faithfully
Sd. A. Ranganatha Mudaliar
Secretary

note.
The conditions of lease may be intimated to the parties concerened very early.

Initialled V.R.
7-10-45

Document No. 2 filed along with [illegible]

Very urgent

SRI PARTHASARATHY SWAMI SABA, TRIPLICANE

Dr.M.Devaji Rao
Patron

Sri.K.S.Champakesa Iyangar B.A.B.L.
President.

Dated 20th Octr. 1943

To

The Trustees
Sri Parthasarathy Swami Devasthanam
Triplicane

Gentlemen

Re-Mettukulam Garden

We request that you will be so good as to grant us a lease of plots 1, 2, & 3 in the lay out facing Ice House Rd for erecting a hall for our Sabha for a term of 21 years with option to renew on such terms as may be fixed and agreed.

As we are prepared to enter into lease forthwith, we shall be glad if you will kindly eliminate the above said plots from any loss which might be contemplated upon.

We will be grateful if you could give us an opportunity to be present at any meeting which you may hold for the purpose, so that we may straightway, without waste of time come to a definite agreement,

Thanking

Yours truly

Sd.
President

Document No. 13 [illegible]

16

A.B.Sammandam

25 Nallanna Mudali Street
Royapettah Madras.

Dated 20th July 1946

To

The trustees
Sri Parthsarathy Swami Temple
Triplicane

Re-Mettukulam Garden belonging to the temple measuring about 53 grounds

Sirs,

I came to understand by an advertisement made by temple authorities in or about 1940 that the plot of land comprosing about 53 grds at Irusappa Gramani Street was to be sold in public auction and that the auction was postponed.

Now I wish to purchase the entire 53 grounds on a reasonable price not exceeding Rs 1500/ per ground and I am prepared to deposit any initial amount as advance you desire on confirmation of my application Of course conveyance charges will usually be born by me.

Thanking for favour of your early reply.

Yours faithfully

Sd Sammandam

Copy to
The Secretary
Hindu Religious Endowments Board
Cathedral, Madras.

Document No 4 filed along with letter 18 (11)

Office of the H.R.E. Board, Madras-6

Board's order No.2928 dated 2-9-1946 (11)

In the matter of Sri Parthasarathy Swami temple, Triplicane, Madras

Sale of about 54 grounds belonging to the temple in Mettukulam garden.

Read: Letters .57/67 dated 14-6-46 and D.135/46-47 dated 22-8-46

The trustees of the above temple are hereby authorised to sell about 54 grounds belonging to the Devasthanam in Mettukulam garden bearing R.S.No.870/2 together with the superstructures of the existing buildings thereon in one lot in open public auction, after publicity and due intimation to the Board sufficiently in advance so as to enable it to depute an officer of the Board to be present at the time of auction, if necessary. The upset bid may be ~~xalxxx~~ fixed ~~at Rs 1500~~ at Rs 1500/ per ground of vacant site. The buildings may be valued by the trustees after taking competent technical advise and the bidders

bidders for the vacant site should be prepared to purchase the sup-strucutre of the buildings at the price so fixed along with the entire vacant site. It may be distinctly pointed out to the bidders that the sale is subject to the confirmation of the Board.

2. The trustees should see that a deposit of Rs 1000/ is made by every bidder before he bids at the auction and that the successful bidder pays 1/2 of the bid amount on the conclusion of the auction on the date of the auction and the balance within 14 days of the auction.

3. The slae should be conducted before the end of this month. It should be advertised in atleast one issue of the " Hindu" and in one issue of the " Swadesamitran". A copy of the sale notice should be affixed on the notice Board of the Devasthanam. Hand bills should also be printed and circulated in the locality.

Forwarde byn order

A. Balakrishnan
Secretary

To Documents [illegible]

Office of the H.R.E.Board, Madras-6

Letter No.64427/46-3 Adm.dated 6-9-1946

To
The Trustees, Sri Parthsarathy Swami Temple, Triplicane, Madras.

Sub-Mettukulam garden-sale in public auction-orders stayed.

Read. B.O. No.2928 dated 2-9-1946 ordering the sale of Mettukulam garden in public auction

2. R.C.No.2168/46-c-d.dated 5-9-1946 from the Collector of Madras.

The Collector of Madras has reported to the Board that under orders of the Government proceedings have been taken to aquire about fifty four grounds in R.S.No.870/2 for the purpose of constructing a building and a hostel and play ground for the National High School(Girls) Triplicane. Therefore you are requested to stay the sale proceedings ordered by the Board in its order No.2928 dated 2-9-1946.

Sd

For Secretary

Copy to:
The Assistant Commissioner, H.R.E.Board Madras City

True copy

To
The Govt. of Madras
(Education & Public Health Dept.)
Fort St. George

Petition of the Trustees of Sri
Parthasarathyswami Temple Triplicane
Madras regarding the land
acquisition proceedings for the
National High School (Girls) Triplicane

Mr. K. E. Rajagopalan
Advocate
2/12. T. P. Koil Street
Triplicane.

24 (14)

Sri Parthasarathy Swami Devasthanam, Triplicane.

RAO SAHIB
V. M. LAKSHMINARASIMHACHARYA
C. R. JAGANNATHAM PILLAI
RAO BAHADUR
V. RANGANATHAM CHETTY.
Dharmakarthas.

(14)

Dated, 14th Dec 1946.

D 2541/46.47

To The Secretary to the Government of Madras

Sir,

Ref: LAND ACQUISITION: R.S.870/2
Mylapore- National High School
Our memorial

7744

Herewith we beg to submit a copy of the letter addressed to the Personal Assistant to the Collector of Madras.

We have the honour to be
sir
Your most obedient servants
M Narasimhachary
C.R. Jagannatha Pillai

23

Sri Parthasarathy Swami Devasthanam, Triplicane.

RAO SAHIB
V. M. LAKSHMINARASIMHACHARYA
C. R. JAGANNATHAM PILLAI
RAO BAHADUR
V. RANGANATHAM CHETTY.
Dharmakarthas.

(15)

15

Dated, 14-12-1946.

9254/46-47

To The Personal Assistant to the Collector of Madras.

Sir,

Ref: R.S. No. 870/2 - Mylapore - LAND ACQUISITION - Inspection on 9-12-1946

We regret to say that we were unable to be present at the inspection. Our manager whom we sent with instructions to represent us was unable to say anything in the presence of Sri. Rao Bahadur. V. Ranganatham Chetty who gave his own views without caring for his colleagues.

2. He has now sent us what views he presented before you- The first proposal is to lease out the land at Rs 5/ per ground for 50 years and then to sell the land to the lessee.

(1) When the land is not going to come back to us we do not see why we should not sell it outright at once. (2) Leasing is distinctly disadvantageous to the temple. Even if the land sells at Rs 2500/-it will really fetch more. We shall get an interest of Rs 6/ per month from Government without collection charges where as the lessee will pay only Rs 5/ per month per ground

The Engineer of the H.R.E.Board has drawn up a building programme for new constructions on vacant lands and for additions to existing buildings which will all cost about a lakh of rupees. We hope to get the sale money through the intervention of the H.R.E.Board and invest it on the buildings. We can then realise a return of 6 to 9 % after providing for a sinking fund-the annual repair charges and corporation taxes.

3. Sri.Rao Bahadur.V.Ranganatham Chetty's 2nd proposal is to retain 15 grounds or thereabouts to the temple.

(1) Our original proposal was to retain the whole plot to ourselves but we decided on the sale of the plot as the land has been neglected for the past 25 years, and it ~~xxx~~ would require to reclaim it, a lot of money which we could ill afford to find. This objection holds good for the 15 grounds also. Space will be found elsewhere for the construction of the cowshed, horse shed and Nandavanam etc which we originally intended to put there.

(2) The Corporation had once an eye on the plot which Sri.Rao Bahadur.V.Ranganatham Chetty proposes to retain for the temple. Though the Corporation has abondoned the idea on account of the present financial pressure the need for land is there and the Corporation will take the earliest

opportunity of acquiring it. Moreover the National school we are glad to say is an expanding institution and land required for the growing need of the school will be taken only from the next plot. We should very much like to save our successors from a repitition of the trouble and turmoil which we now experience.

(3) The National school authorities applied for the whole plot and they need not be inconvenienced and asked to make any sacrifice.

(4) Before we know anything about the acquisition proposals we had obtained the permission of the H.R.E.Board to sell the plot by auction. We have protested against the stopping of the sale ordered by Government and shall welcome any orders dropping the acquisition proposals in favour of sale by auction. We have shown above how Sri.Rao Bahadur.V.Ranganatham Chetty's proposals are not in the interest of the temple.

We trust that the benign Government and its officers will consider this matter carefully and impartially and will fully safegaurd the interest of the temple, any favour to the National school being shown independantly of the temple.

We have the honour to be
sir,
Your most obedient servants

C. Narasimha Raghava
C.R.Jaganatha Pillai

Please see the petition from two trustees of Sri Parthasarathi ~~[illegible]~~ Devasthanam & the memorial from certain worshippers on pp 10-20 infra. They request that the acquisition proceedings may be dropped.

A | The main file on this question was sent to HM (Law) HM (Edn) and HM (HRE) on 4/10/46 and it has not yet been received back. This may await the return of the file. The Land Acquisition [illegible] will consider the objections raised. Vide Minutes of [illegible] stage of the file.

2/1/47

A What is present stage of the file
Reminder be sent
4.1.47

29

With reference to the Asst Secretary's query on page 4 ante it is submitted that the file was circulated to HM (HRE) on 24-10-46 and it is still with him. The item has been included in the weekly reminder list prepared by the Cen. clk.

This will not do. A reminder [illegible] Secy should go

10-1-47

12.1.47

A reminder is submitted below for approval.

3.2.47

3.2.47

B1. F1 17 28

Sri Parthasarathy Swami Devasthanam, Triplicane.

RAO SAHIB
V. M. LAKSHMINARASIMHACHARYA
C. R. JAGANNATHAM PILLAI
RAO BAHADUR
V. RANGANATHAM CHETTY.
Dharmakarthas.

Dated, 14-12-1946.

19 DEC 1946
EDUCATION AND PUBLIC HEALTH DEPARTMENT

(17)

To The Personal Assistant to the Collector of Madras.

17 DEC 1946
GOVERNMENT OF MADRAS

Sir,

Ref R.S.No.870/2 -Mylapore- LAND ACQUISITION -Inspection on 9-12-1946.

78823

We regret to say that we were unable to be present at the inspection. Our manager whom we sent with instructions to represent us was unable to say anything in the presence of Sri.Rao Bahadur.V.Ranganatham Chetty who gave his own views without caring for his colleagues.

2. He has now sent us what views he presented before you- The first proposal is to lease out the land at Rs 5/ per ground for 50 years and then to sell the land to the lessee.

(1) When the land is not going to come back to us we do not see why we should not sell it outright at once. (2) Leasing is distinctly disadvantageous to the temple. Even if the land sells at Rs 2500/-it will really fetch more. We shall get an interest of Rs 6/ per month from Government without collection charges where as the lessee will pay only Rs 5/ per month per ground

The Engineer of the H.R.E.Board has drawn up a building programme for new constructions on vacant lands and for additions to existing buildings which will all cost about a lakh of rupees. We hope to get the sale money through the intervention of the H.R.E.Board and invest it on the buildings. We can then realise a return of 6 to 9 % after providing for a sinkin fund-the annual repair charges and corporation taxes.

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(2) The Corporation had once an eye on the plot which Sri.Rao Bahadur.V.Ranganatham Chetty proposes to retain for the temple. Though the Corporation has abondoned the idea on account of the present financial pressure the need for land is there and the Corporation will take the earliest

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(3) The National school authorities applied for the whole plot and they need not be inconvenienced and asked to make any sacrifice.

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We trust that the benign Government and its officers will consider this matter carefully and impartially and will fully safeguard the interest of the temple, any favour to the National school being shown independantly of the temple.

Copy

To The Hon'ble Mr.Avanasilingam Chetty
Minster for Education

We have the honour to be
sir,
Your most obedient servants

M.K.Narasimhachary
C.R.Jaganatha Pillai

To Secy E.P.K. This may be filed.
TSA 17.12.46
H.M. Edn.

77866 31/ (19)

COURT FEE
INDIA 1R
ONE RUPEE

Before the Government of
~~In the High~~ Court of ~~Judicature at~~ Madras.

(19)

No of 194 .

~~Aga~~inst ~~No~~ ~~of 194~~. ~~on the file of~~ the

1. Sri Rao Sahib V.M. Lakshminarasimhachariar
2. C.R. Jagannatham Pillai, Trustees of Sri ~~Trustees~~ Parthasarathyswami Devasthanam, Triplicane

~~Appellants~~ Petitioners

Respondents.

~~I~~ We Rao Sahib V.M. Lakshminarasimhachariar & C.R. Jagannatham Pillai

~~Appellants~~-Petitioners ~~Respondents~~ in the above ~~Appeal~~ Petition do hereby appoint and retain

Mr. K. E. RAJAGOPALACHARI,

Advocate of the High Court, to appear for ~~me~~ us in the above ~~Appeal~~ Petition and to conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of any application connected with the same or any decree or order passed therein including all applications for return of documents or the receipt of any monies that may be payable to ~~me~~ us in the said ~~Appeal~~ Petition ~~and also~~ in ~~appeals under Section 15 of the Letters Patent~~ and in applications ~~for leave to appeal to His Majesty in Council~~ and in all applications for review of Judgment.

I certify that the contents of this vakalat were read out and explained in in my presence to the executant who appeared perfectly to understand the same and made his/her, their signature in my presence.

V.M.L.Narasimhachary
C.R. Jaganatha Pillai

Executed before me this 11th day of october 1946

N.K. Ramaswami
Councillor
Corporation of Madras.

Trustee of Sri Partha.
[illegible]
Triplicane

The Address for service of the said Advocate **Mr. K. E. Rajagopalachari** is at No. 2/72, Thulasinga Perumal Koil Street, Triplicane, Madras.

Messrs

DISTRIC

Before the Government
~~In the High Court of Judicature~~
at Madras.

No. of 19 .

AGAINST

~~No. of~~ 19 .

~~on the file~~ of the

VAKALAT

ACCEPTED.

K. E. Rajagopalan

Advocate for ~~Appellant~~ ~~Respondent~~ Petrs
12.10.46

Mr. K. E. RAJAGOPALACHARI
Counsel for Petrs

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To
The Government of Madras,
Education and Public Health Department,
Fort St. George, Madras.

The humble petition of Rao Sahib V.M.Lakshminarasimhachariar and C.R.Jagannatham Pillai, the Trustees of Sri Parthasarathyswami Temple, Triplicane, Madras, is as - follows:-

(1) The Devasthanam is possessed of R.S.No. 870/2 known as "Mettukulam Garden" measuring about 54 grounds bordering on the Ice House Road and Erusappa Gramani street, Triplicane, Madras.

(2) The Devasthanam is the absolute owner of the land now proposed to be acquired. It is also the owner of the two superstructures and the few huts in a corner of the plot the occupiers being mere tenants under devasthanam with no interest in the buildings, supersutructures or huts. As regards one of the huts O.S.No. 198 of 1946 on the file of the City Civil Court, Madras, is pending for ejecting one Krishna Pillai who is only a trespasser.

(3) The Petitioners state that the above land now proposed to be acquired is situated in a very busy and fasionable locality in Triplicane, near the junction where four main thorough fares meet. It is also near the temple. The temple is in need of the lands for several purposes. It cannot ger an open land near the temple precincts like the present one at any time. It is a most suitable place for constructing a Vahana Godown and also for constructing a stable for horses, a shed for the cattle and for the Elephant which

may be acquired at any time and for the staff employed to attend the animals and also for growing a Nandavanam which is very essential for the temple. However the trustees considered that it is better to sell the property at the present time as a higher price is expected to be realised consequent upon the present demand for building sites. In fact a lay out has already been prepared and sanctioned by the Corporation to form a colony in the place.

(4) The Petitioners strongly and respectfully protest to the acquisition of the property in the manner now proposed. The Government seems to have estimated the value of the property at about Rs.62000/- only on the basis of about Rs.1000/- per ground. Even as early as 1938 when about 1 ground and 400 Sq.Ft in a corner of this property was acquired by the Government the value was fixed at the rate of Rs.1300/- per ground. It may be mentioned that the garden was neglected for a number of years and even the wire fencing was cut by the way farers. The temple got possession of it only in 1939 from the previous lessees and the valuation at the time of the previous acquisition was based upon the circumstances then affecting the market value merely as a cocoanut garden enjoyed ~~xm~~ by the temple as such. As will be seen from the Judgment in Land Case No. 14 of 1938 before the Chief Judge of the Small Causes Court the possibility of getting a much larger value by dividing the garden into plots, and sell them as house-sites was not taken into consideration. It is submitted that the proper value will have to be based from the point of view of the most advantageous disposition of the land with reference to its future utility ie., any purpose for

which the land might reasonably utilised in future. The temple had also received a firm offer in this case at the rate of Rs.1500/- per ground, which will come to Rs. 80000/- and also in additon the full value of the super-structure standing thereon from one Mr. A.B.Sambandam who was willing to start the bid at that figure.

(5) The President of the Hindu Religious Endowments Board, was pleased to inspect the locality and after duly considering all aspectes of the case and in the interest of the temple and with a view to secure the highest value passed an order on 2-9-1946 authorising the trustees to sell the property in open public auction, fixing the upset bid at Rs.1500/- per ground, the sale being subject to the confirmation of the Board, the auction was fixed to take place on 15-9-1946 and was duly advertised in the papers. Enquiries were being made by the authorities of the Hindu High School and various other persons and the trustees are expecting the bid to go upto Rs.3500/- per ground. All of a sudden on the representation of the people interested in National High School(for Girls) Triplicane, the Government send direction to the Hindu Religious Endowments Board, to stay the sale and the Board consequently asked the trustees to stay the sale proceedings.

(6) The whole question of compulsory acquisition will naturally arise only if the landlord is not willing to - part with the property. In this case when the property is advertised to be sold in public auction under the directions of the Hindu Religious Endowments Board, long before the issue of even the 4(1) notice the Government is not justfied

in proceeding with the compulsory acquistion after staying the sale in the manner stated above. Unless it be that the Government is anxious to acquire the land at a low rate for the benefit of the school and make it difficult for the trustees to obtain the full value of the land there is not necessity to adopt this course.

(7) In 1940 after getting the sanction of lay out the land was offered for sale and offers were received. Application were also received for lease in which the offers were at Rs.10/- per ground per month. The condition of lease furnished to them will clearly show that the value of the ground was taken to be Rs.2000/- to 2500/- even at that time.

(8) The National School (for girls) can acquire other sites available in the locality and there is not reason why it should insist upon this temple property from the start. The area of the particular land is further far greater than what is actually required for the purpose. In fact the authorities for the National High School for girls wanted only 25 grounds on lease from the truste of the temple for the construction of school building Hostel, playground Etc., They now want the whole property of 54 grounds in the hope that they can get it at a low value. The site though situated in a place open to all amenities cannot be quite so good for the National School in view of the proximity of the Lady Wellington College which is less than a furlong from the site in question.

(9) The Petitioners submit that the value of the land fit for house sites has increased four times than what

it was even two years ago. Grounds or house sites in Mylapore, Triplicane, Mambalam Etc., in localities much less valuable than the present one are selling at the rate of Rs.3500/- to Rs.4000/- per ground and the minimum value that can be got for this property in an ordinary sale will be anything above Rs.3500/- Even the sale deeds of lands in the locality will not furnish the basis to fix the market value of the property as in the present state of the market there is very heavy demand at a price far in excess of what the lands fetched some time back. Should The Government contribute such a large amount for this High School is also a question that the Government may be pleased to consider.

(10) Under the circumstances it is submitted that the acquisition proceedings will be dropped in the interest of the devasthanam which is entitled to at least to as much consideration from the hands of the authorities and Government as the National High School (for girls) Triplicane.

M. Narasimhacharya
C. R. Jagannatha Pillai

Madras.
12th ~~Oct~~ober 46.

Petitioners. (Trustees of
Sri Parthasarathyswami Temple,
Triplicane, Madras.)

V
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TO

THE GOVERNMENT OF MADRAS
EDUCATION AND PUBLIC HEALTH,
FORT ST. GEORGE,
MADRAS.

The Humble Petition of
Rao Sahib V.M.Lakshminarasimhachariar
and C.R.Jagannatham Pillai, Trustees
of Sri Parthasarathyswami Temple,
Triplicane, Madras.

--

Mr. K.E.Rajagopalachari
Advocate for Petitioners.

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To

The Government of Madras,
Education and Public Health Department,
Fort St. George, Madras.

The Memorial submitted by the undersigned residents and worshippers of Sri Parthasarathy swami temple, Triplicane, is as follows:-

(1) The Devasthanam is the owner of plot of land measuring about 54 grounds in R.S.No. 870/2 bordering on the Icehouse Road and Erusappa Gramani Street, Triplicane.

(2) The National High School(Girls) Triplicane, approached the trustees to grant them an lease of about 25 grounds in this plot for constructing the Schoolbuilding, Hostel, playground etc., and it appears they have moved the Government to acquire the whole plot of land for them.

(3) The undersigned strongly object to the acquisition of the property for the following among other grounds:

The temple is in need of the land for several purposes. If this is lost it can never acquire an open land like this near the temple at any time. This is the premier Vishnu temple in Madras and one of the great Srivaishnava Divyadesams, attracting thousands of worshippers through out the year.

(4) No space is available in the temple for keeping the costly gold plated Vahanams which are packed up in a small pegion like Go-down, and many have to be removed to take a particular vahanam. There is no stable for the temple horses or shed for the cattle. The temple has no Nandavanam and flowers have to be taken all along from the garden at Kadambakkam at a heavy cost and that too is not available here till after 7 P.M. after Deeparadanam is over. This plot has to be utilised for the above purpose. The temple Elephant

used to be conveniently housed in this plot and although at present there is no elephant it may be got soon.

(5) Till about 1939 on account of some imprindent leases by the previous trustees the temple did not get possession for a number of years of this land. On account of the war it could not be improved till now on the lines suggested above.

(6) The Lady Wellingdon Girl School is close by and even if students come for admission there can no difficulty in opening another section there for higher forms. Now there is a popular Government the Government High School will also be run as a National institution and there is no purpose in having another school close by for girls. While making the deposit of half of the cost of acquisition the school authorities have valued it at about Rs.1000/- per ground and expect to get it cheaply. The acquisition authorities may be guided by sales in the locality in the previous years. This will not be a guide as to value of land at present. Now lands in such fashionable localities sell four times than what it fetched a year ago. A ground in this locality may fetch about 3500/- Rupees and more in public auction.

(7) The temple authorities were given permission by the Hindu Religious Endowments Board to put up the plot for sale in public auction subject to a reserve price of Rs.1500/- and the sale was subject to the confirmation by the Board. Under this arrangement if a very high or fancy price is fetched so as to enable the temple to purchase other properties and convert them for the purposes required, still leaving a large balance for investment, the sale may be pushed through and if not the sale will be dropped.

(8) The Government was pleased to stop the auction proceedings by writing to the Hindu Religious Endowments Board, to

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stay the same. There is no reason why the school authorities should not bid at the auction unless the object of the acquisition is to get the land for a sum which is far less than what it would fetch in the auction.

(9) We therefore pray that the acquisition proceedings may be dropped and thereby the Government will serve the interest of Sri Parthasarathy swami as zealously as the Girl School which it proposes to help by acquiring the land.

We beg to remain
Sir,
Yours ~~most~~ obediently,

Madras.
24th October 1946.

A.V. Ramaiengar
S. Rajagopala Iyengar. Triplicane.
A.K. Krishnaswami Iyengar (worshipper)
A.S. Veeraraghava Iyengar
K. Kuppuswamy Naidu
S.D. Rajagopaul
M. Subramaniam
V.B. Doraivelu
A. Balakrishnan
J. Krishnaswami
M. Gunappan,
2, Ayyaswamy Chetty St.,
Triplicane, Madras
Rajagopala Naidu
123 Big Street, Triplicane
Worshipper

1 A. Srinivasulu Chetty - Pensioner
President, Voters Association
12 Thandavarayamudali Street, Triplicane
2 - M.C. Dennadayalu Naidu -
Retired ... Agent,
Royal Indian Army Service Corps
3. M.D. Seshasayanam Naidu
4 B. Ramakrishnan,
No. 12. Thandavaraya Mudali St.,
Triplicane, Madras.
5. A. Krishnaswami Chetty
23. Thandavaraya ...
Triplicane.
6 ...
15 ...
Triplicane
7 ...
8. P.M. Sankaran
Worshipper
M. Shanmuga Mudali

T. Ayodhya Prasad
18. Kuppumutti Mudali Street
Triplicane

P. V. Munusawmy Naidu
No 22 Kasimali Street
Triplicane

T. Subramania [illegible]
No 2/37 [illegible] Street
T Royapettah

G. [illegible]
No 32 [illegible]
[illegible]
Mount Road
Madras.

T. P. Choodamany
19 [illegible] Street
Triplicane Madras.

Madha
26 S.S. Vedagiri Mudaly Street
Chintadripet
Madras

S. Baboo
56/58 [illegible] Street
Royapettah P.O
Madras

K Thirumalachari
T.P. Coil Street

[illegible] Pillai
No 23. [illegible]
[illegible]

[illegible]
No 4. [illegible]
Pillai St. Triplicane.

[illegible]
40 South Tank square.
Triplicane

Unni Vaeethyavalu
4/71, T.P. Koil Street.

P. M. Gopalachari

M. R. Parthasarathy Iyengar
Electrical Engineers & Contractors
1/20 T. P. Koil Street
Triplicane,

T. A. Seshachary
C/o Shaw Wallace & Co
Thambu Chetty Street
Madras

K E Krishnaswamy Iyengar
5/6 Sunkuwar St. Triplicane

P. M. Rangaswamy
9 Peyalwar Koil St

SREE PARTHASARATHYSWAMI DEVASTHANAM TRIPLICANE.

10-5-1940.

To
The Secretary, Board of Supervision,
Sri Parthasarthyswami temple, Triplicane,
Madras.

Ref :- Sale of Mettukolam gardens.

Sir,

I have to draw your particular attention to the facts below and record my protest.

My brother trustees Rao Bahadur V.Ranganatham Chetty and C.Narasimhachariar have caused tobe constructed small shops adjacent to and south of 36 pillared mantapam. Once the shops come into existence it is not possible to utilise the open space for any other purpose. The only available open space close to the temple is the Mettukolam garden.

You are quite aware that the present space within the temple is highly insufficient during such occasions as pavitrautsavam, Brimautsavam Etc., when worshippers xxxxx throng in their thousands.

An occaion is sure to arise when the vahana gadang etc., should be removed to another commodious space. As at present the vahana gadang is small that it necessitates the removal of some vahanams before the required one is got out. In the constant removal of these vahanams much damange is caused to the vahanams and its wooden structures. The mettukolam garden would prove the most suitable and easily accessible place for a spacious vahana gadang which is an absolute necessity to the temple.

The temple cattle is fully handicapped for want of a good habitat. The mettukolam garden which is within a hundred yards of the temple whuld prove to be the best habitant and grazing ground for the cattle and for an elephant if the temple has the good xxx fortune to secure one from any state that would most willingly part with for divine service.

The Mettukolam garden can with ease be converted into a Nandavanam in liew of the Kodambakkam Nandavanam as it is too far off and the interest out of the sale proceeds of the Kodambakkam Nandavanam can be utilised for the upkeep of the Mettukolam garden as Nandavanam, temple vahana gadang and cattle yard.

The dire need to sell such a valuable garden has not arisen as the temple commands more than sufficient funds not only for day to day administration of the temple ~~x~~ but also for carrying ~~ext~~ out more paying constructive work if done with care and prudence. The temple was able to construct flush put latirines wall its house improve some buildings such as the Rajendra stores, Sama Rao School, house in Nagappa Mudali Street, Parthasarathyswami post office and also acquire the house of Veerasamy Naidu in Mettukolam gardens, wipe out an overdraft of about Rs.10000/- and lay by more than Rs. 10000/- few years back. It is evident from all these that the temple commands ample funds and does not warrant the sale of Mettukolam garden by my collegues. If my collugues would only foresee the time when the temple is sure to find a need for open space or garden they would well realise the inestimate value of the mettukolam garden and the utter impossibility of acquiring even a tenth of the garden any~~w~~where close to the temple for lakshs of rupees and wouldnot be ~~x~~ so keen to sell the garden or part with it even for lease holds.

Under the circumstances I am obleiged to record my protests and shall oppose the move of ~~x~~ my collegues if need be in a court of law.

Yours faithfully,

Sd. C.R.Jagannatham Pillai,
Trustee of Sri Parathasarathy swam
Temple.

Copy to:
Rao Bahadur V.Ranganatham
Chetty.
C.Narasimhachariar.
The Advocate General, Madras.

Triplicane.

Dated 1st Oct 1945.

27

To
The Trustees of Sri Parthasarathy swami temple.

Sir,

We the undersigned voters and worshippers of Sri Parthasarathyswami devasthanam would like to submit the following few lines in the matter of granting plots to Mr.N.K.Thirumalachariar in the Mettukolam gardens for National Girls High school building for your kind consideration and such orders as you may think fit in the matter in the interest of the temple.

Coming to the Sama Rao Elementary school now under his management he has increased the school fees by four annas for each pupil and has admitted boys more than the capacity of the institution and what he pays to the teaching staff is less comparative to what he receives as school fees.

Secondly coming to the National Secondary School which is in the Nammalwar mansions though he pays Rs.125/- per mensem as rent we think he collects 3/4th of this amount by way of rent from subtenants by letting the same for rent for marriages, Kalakshepams, Musical entertainments and a tutorial college in the compund charging the temple perioadically for repairs thus telling very much upon the income from the Nammalwar ~~ma~~ trust building keeping the same it is not known in his personal account or school account Here his action is against the interest of the temple.

(a) further the Kalanidhi Hall which is raised by public subscription and which is said to be given as a gift to thetemple is only a gift in the name but not in action the tenant Mr.N.K. Thirumalachariar enjoying its ~~x~~ benefit and not the temple from the time it became a gift which action is also quite against the best interest of the temple.

(b) Next coming to the subject matter the National High school girls for which he is approaching you for plots in the Mettukolam gardens. We have to submit the following important matter for your kind information and the needful in the matter.

(a) Mr. N.K.Thirumalachariar who is the founder secretary has made collections for the buildings fund in following manner.

1. By way of donations from big wigs.
2. By way of collections from the public through the pupil of the girls school "card honour" each card costing Rs.10/-
3. By way of enatment of series of dramas in aid of the buildings fund the admission being by tickets.

It is deen that up till now no account of net collections in aid of the buildings fund has been published duly audited for the information of the public.

His approach to the trustees for plots in the Mettukolam gardens is not in the interest of the temple as we hear demanding a lesser rate and that at a locality against the interest of the temple ie., in a place which the temple requires for its use. His action is against the interest of the temple.

It is seen that the members of the committee in both the said institutions (National secondary school boys and girls)are not from the Triplicane public and from the trustees in the temple there being nobody to represent the interest of the Triplicane public and to safeguard the interest of the temple. Here also his action is against the interest of the temple and the Triplicane public in not having a trustee of the temple in the school committee to represent the interest of the temple and to safeguard the temple interest.

It is learnt and it is rumoured that Mr. N.K.Thirimalachariar is telling that he will approach the Collector of Madras in case the trustees dont sanction his request plots in the Mettukolam garden for acquisiton of the same and getting the same through the collector of Madras at a lesser rate. This kind of attitude on his part will not show that his attitude is in the interest of the temple.

Sd. Kidambi Rangachariar and others.

THE NATIONAL EDUCATION SOCIETY. (Regd)
In Management of
The National High School (Girls) and the National Secondary, School, Triplicane.

Secretary:
N.K.Thirumalachari

Madras. 23rd Sept.1945.

To

The Trustees,
Sri Parthasarathy swami Devasthanam,
Triplicane.

Sirs,

Re: Lease of 25 grounds of the Mettukulam gardens for the construction of our school buildings, hostel and playgrounds etc.,

---

I have the honour to draw your kind attention to my letter dated 12th September 1945 and to request the favour of an early decision on the matter.

Thanking you,

Yours faithfully,

Sd. N.K.Thirumalachari

Founder-Secretary & Correspondent.

Copies to
1. Rao Bahadur V.Ranganatham Chettiar,
2. Sriman. Lakshminarasimhachariar,
3. Sriman. C.R.Jagannatham Pillai.

Office of the Hindu Religious Endowments
Board, Madras.

Letter No. 64427/46-3. Adm.dated 6-9-1946.

To

The Trustees of Sri Parthasarathyswami temple, Triplicane,Madras.

Sub:- Mettukolam garden- sale in public auction-orders stayed.

Read: B.O.No. 2168/46-C-d. dated 5-9-1946 from the Collector of Madras.

The Collector of Madras has reported to the Board that under orders of the Government proceedings have been taken to acquire about fifty four grounds in R.S.No. 870/2 for the purpose of constructing a building and a hostel and play ground for the National High school (Girls) Triplicane. Therefore you are requested to stay the sale proceedings ordered by the Board in its order No. 292 8 dated 2-9-1946.

Sd.

For Secretary.

Copy to

The Assistant Commissioner, H.R.E.Board, Madras City.

True copy.

BEFORE THE BOARD OF COMMISSIONERS FOR THE HINDU
RELIGIOUS ENDOWMENTS MADRAS.

In the matter of Sri Parthasarathyswami devasthanam, Triplicane, Madras City. Mettukulam garden alieanation sale of lease.

The humble pettion of A.B.Sambandam son of A.Balasundaram Mudaliar residing at No. 25 Nallana Mudali Street, Royepettah Madras is as follows:

(1) The petitioner has come to know that the Mettukulam garden bearing R.S.No. 870/2 of the extent of 54 grounds is to be sold or leased by the trustees of the devasthanam with the sanction of the Hindu Religious Endowments Board.

(2) It appears there are two applicants one is the authority of the National High school for girls. This is said that they want 25 grounds facing both Ice house Road and Irusappa Gramani Street, on a lease for a period of 99 years with right of renewal and comensation on the value of super structure in the event of renewal not being exercised.

(3) Under this offer the temple will get Rs.1200/- per year that is four rupees per ground per mensem. The interior portion of the plot will not fetch a decent income or a good offer for sale.

(4) The next offer is by Sri Parthasarathyswami sabha Triplicane, who want 8 to 10 grounds on a monthly rent of Rs. 6/- per ground. They also ~~w~~ fixed the plot they require closely adjoining the road. The criticism regarding the previous offer will apply to this also. They want to errect a hall for conducting Music etc., performances.

(5) The applicant is prepared to purchase the whole of 54 grounds at the rate of Rs.1500/- per ground which will come to Rs.80000/- This at 3 per cent will work out an income of Rs.2400/- per annum free of income tax involving no collection expenses etc.,

(6) The applicant is also prepared to take the property on long lease on much more favourable terms to the temple than the offers even if improved now. He is prepared to purchase the whole property. He will retain a block adjoining the Ice house Road, and he is prepared to give a lease of a portion of the property on the wouthern side of about 18 grounds facing Irusappa Gramni street, for the National High school if necessar for a long lease and at a very low rent. There is also another plot facing Irusappa Gramni Street, on the western side of the extent of 17 grounds and this also available for sale. The National High school authorities may purchase this also and this along with the ground the petitioner offers to give them on lease will be more than sufficient to serve their purpose.

(7) The petitioner is prepared to deposit any amount in earnest of his offer. So far as the trustees and the Board are concerned the interest of the temple is supreme and the devasthanam has more claim on them than the High school who can get equally good grounds apart from this.

(8) The petitioner requests the Board to take this offer as a business proposition. He is also prepared to bid for the property in public auction starting his bid at Rs.1500/- per ground.

(9) The petitioner is attaching a plan for reference. The petitioner hasalso given his offer to the trustees on 20-6-46. It is prayed that thepetitioner's offer may be taken along with others and be dealt with on its merits.

Petitioner.

I, the petitioner abo enamed do hereby declare that the facts stated above are true to my knowledge.

6th day of August 1946.

Petitioner.

8

Office of the Hindu Religious Endowments
Board, Madras.

Board's order No. 2928 dated 2-9-1946. 31

In the matter of Sri Parthasarathyswami temple, Triplicane, Madras.

Sale of about 54 grounds belonging to the temple in Mettukolam garden.

Read: Letters. 57/67 dated 14-6-1946 and D.135/46-47 dated 22-8-1946.

The trustees of the above temple are hereby authorised to sell about 54 grounds belonging to the devasthanam in Mettukolam garden bearing R.S.No.870/2 together with the superstructure of the existing buildings thereon in one lot in open public auction, after publicity and due intimation to the Board sufficiently in advance so as to enable it to depute an officer of the Board to be present at the time of auction if necessary. The upset bid may be fixed at Rs.1500/- per ground of vacant site. The buildings may be valued by the trustees after taking competent technical advice and the bidders for the vacant site should be prepared to purchase the superstructure of the buildings at the price so fixed along with the entire vacant site. It may be distinctly pointed out to the bidders that the sale is subject to the confirmation of the Board.

2. The trustees should see that a deposit of Rs.1000/- is made by every bidder before he bids at the auction and that the successful bidder pays 1/2 of the bid amount on the conclusion of the auction on the date of the auction and the balance within 14 days of the auction.

3. The sale should be conducted before the end of this month It should be advertised in atlease one issue of the "Hindu" and in one issue of the "Swadesamitran". A copy of the sale notice should be affixed on the notice Board of the devasthanam. Hand bills should also be printed and circulated in the locality.

Forwarded by order.

A.Balakrishnan
Secretary.

From

The Secretary,
Hindu High School, Triplicane.

To

The Trustees of Sri Parthasarthyswami Temple,
Triplicane.

Sirs,

We find from the papers that the authorities of the temple will auction the site near the Ice house Road, police station We also learn that the sale by auction has been stopped. If the authorities have any intention of leasing out the site for any fair rent we would willingly take it up. Our school has no playground and if that site is made available to us a major part of our ~~pupils~~ pupils would have the benefit of playing there. It is requested that our need may be given due consi- ~~dera~~ deration by the temple authorities.

Yours faithfully,
Sd. T.V.Subba Rao
Secretary.

13-9-1946

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feels that the sa
Dharmasala the wan
for the festival and

(ii) the lease of 8
as already recommended for
renewal;

(iii) and the lease of 25 gr
for (Girls) Triplicane for a period
renewal.

In view of the urgency of the ap
High School for (Girls) Triplicane,Th
to take very early steps to expedite
lease etc.

Sd.
Se

To the Secretary

he National Educatio Society, (Regd.)

Madras.

In management of

The National High School (Girls) & The National Secondary School, Triplicane.

GOVERNING BODY:

Bahadur Dr. T. S. Tirumurti (*President*)

C. R. Pattabhi Raman

V. Rama Iyengar

S. Venkatesa Iyengar

S. Ramaswami Naidu

Bahadur K. R. Ramanujam

K. Ramiah Chettiar

Sahib N. K. Thirumalachari (*Founder Secretary*)

OFFICE: "JANARDHAN"

11, EDWARD ELLIOTS ROAD.

MYLAPORE MADRAS.

Dated ~~22st Jany.~~ 1947
31st January 1947

May It Please Your Excellency,

May I with Your Excellency's kind permission bring to your Excellency's notice a matter ~~whix~~ in which we are all deeply interested.

In connection with the providing of a permanent habitation for our Girls' High School in Triplicane, which was started about 5 years ago at the instance of Sir Meverel Statham, our popular Director of Public Instruction, which from a strength of 120 has now risen to 800, and which had the privilege, among others, of receiving Her Excellency Lady Hope and attracting her personal interest, we had approached the authorities of Triplicane Parthasarathi Swami Devasthanam, to lease out on a long lease, about 54 grounds of vacant site in Triplicane, belonging to the Temple to enable us to construct our School buildings, including a hostel and to provide play grounds for our children. They were not agreeable to the granting of the lease. At the instance of Her Excellency Lady Hope, Sir Thomas Austin who was then the Adviser in charge of Education directed the Collector of Madras to proceed to acquire the said site, by compulsory acquisition under the Land Acquisition Act. The proceedings under the said Act have commenced in September 1946 and they are now pending.

⑥/21-12

9/46

(Contd.)

In the meanwhile, several friends, including the Hon'ble The Minister for Religious Endowments, expressed the view that a permanent acquisition may not be advisable and necessary in the interests of our institution as well as in the interests of the temple, but that a long lease of the said site to our institution, would be beneficial to both the institutions. Under a lease the temple will retain the ownership in the property, while enjoyment will be available to the school. The school may not have to invest initially any sum towards the purchase money. The rent could be fixed on the basis of interest at 2½ per cent on the estimated market value of the property to which alone a public ~~ix~~ institution or trust will be entitled to under the Trust Act. We also share the same view.

We feel that an indication of Your Excellency's interest in the matter will expedite the procurement to us of the lease and will enable us to commence our building operations early in April 1947.

(ˠ)

A sketch of the site showing its eminent suitability ~~ix~~ for the school, ~~children~~ is herewith enclosed for your Excellency's kind perusal.

May I earnestly beseech Your Excellency to extend your active support to the cause of girls' education in the capital city where the demand for admission of girls is growing beyond all expectation To deny ~~Today~~ admission for want of accommodation would retard women's education upon the progress of which alone depends the prosperity of any country and much more so, India.

(Contd.)

The National Education Society, (Regd.)

Madras.

In management of

The National High School (Girls) & The National Secondary School, Triplicane.

OFFICE: "JANARDHAN"
11, EDWARD ELLIOTS ROAD,
MYLAPORE MADRAS.

GOVERNING BODY:
Rao Bahadur Dr. T. S. Tirumurti (*President*)
Sri C. R. Pattabhi Raman
Dr. V. Rama Iyengar
Sri S. Venkatesa Iyengar
Sri S. Ramaswami Naidu
Rao Bahadur K. R. Ramanujam
Sri K. Ramiah Chettiar
Rao Sahib N. K. Thirumalachari (*Founder Secretary*)

Dated 19

In the words of The Hon'ble Lady Hope "IF YOU EDUCATE A BOY YOU EDUCATE HIM ALONE; BUT IF YOU EDUCATE A GIRL YOU EDUCATE THE ENTIRE FAMILY".

Thanking Your Excellency most sincerely,

Yours faithfully,

N.K. Thirumalachari

Founder-Secretary & Correspondent.

To

The Hon'ble the Minister for Religious Endowments,
Fort St. George, Madras.

Sir,

Sub: Site R.S.No.870/2 Ice House Road, Belonging to Sri Parthasarathi Swami Devasthanam-- Lease in favour of The National High School (Girls), Triplicane for erecting school house, hostel and provision of playgrounds.

As independent worshippers of Sri Parthasarathi Swami Temple and interested both in the Temple and in The National High School (Girls), Triplicane, we desire to state, that it will be to the interests of both the institutions that a long lease of the site in Ice House Road, Triplicane, belonging to the Temple is given in favour of the school, the rent calculated at 2½ to 3% on the fair market value of the site. A permanent alienation of the property by way of outright sale will deprive the temple of a valuable property in present as well as in future, whereas a lease will retain the ownership with the temple and will enrich the potential value of the property enormously. In our opinion the school caters to the needs of the children of the locality and the site cannot be put to a better purpose than the educational needs of the children of the residents and worshippers of Triplicane. We therefore strongly urge the Hon'ble Minister for Religious Endowments to sanction at an early date the lease of the property so that from 1st April atleast the temple will begin to earn a very regular income from a public educational institution instead of receiving as at present the meagre income from tapping toddy.

As the object for which the lease is to be given is very laudable we urge that every possible concession should be ~~givenx~~ shown in favour of the educational institution which particularly serves the girl-pupils of the locality.

Yours faithfully,

Triplicane,
16th Jany. 1947

Purushottama Iyengar

Put up along with connected file.

6

37

MINISTER FOR HINDU RELIGIOUS ENDOWMENTS
1[illegible] FEB 1947
GOVT. OF MADRAS

37

From: Dr. B. Nammalwar, L.M.P. & Others
97, Dr. Besant Road,
Triplicane.

Date: 3rd February, 1947.

To: The Hon'ble Minister for Religious Endowment Board,
Government of Madras,
MADRAS.

Sir,

Sub: Sri Parthasarathi Swami Temple
vacant lands at Ice House Road, Triplicane.

--

We, the residents of Triplicane beg to bring the following few lines for your kind consideration and favourable orders:

We beg to submit that there is a plot of vacant land about 56 grounds in area in Dr. Besant Road (formerly Ice House Road) Triplicane, adjoining to Ice House Police Station belonging to Sri Parthasarathi Swami Devasthanam, Triplicane and we come to understand that the management of The National Girls School, Thulasingaperumal Koil Street, Triplicane is moving the Government with a view to acquire the said plot of land either on lease or as outright purchase for the purpose of building a new school for the girls. We would request your honour in this connection to allot the same only for residential purposes which call for immediate attention for the following reasons:-

1. The Triplicane area always abounds in mostly middle class people coupled with hundreds of families getting very low revenue most of whom are struggling fo get residential quarters all the year.
2. There is acute shortage of houses in Madras City in general and especially in Triplicane area and about 40 to 50 houses can be constructed in the said plot, each house to accommodate atleast two families.
3. There is already a pucca building for the girls school in question in the T.P. Koil Street, Triplicane which is spacious enough and situated in the heart of the Triplicane proper for the

Contd:

2nd page.

for the benefit of the school-going children and there is therefore no urgent necessity for a new building.

4. The proposed site is just on the side of the bus route Triplicane to T.Nagar and is in the close proximity of a Toddy shop and Krishnampet burial ground which are not at all condusive to children in more than one way.

5. We further submit that the Lady Wellington Training College where a very large number of girl students are taking their studies is also situated just about a furlong from the site in question on the same road, and also there are about three Corporation Girls School in close proximity to the proposed site. Hence a new girl school may not be an urgent necessity at this juncture when other grave problems especially better housing is to be seriously thought of and redressed atleast by the Popular Government.

Under the circumstances we earnestly crave the indulgence of your goodself to order allotment of the plot only for residential purposes and thereby alleviate a serious grievance of the residents of Triplicane in particular and the public in general.

We have the honour to be,
Sir,
Your most obedient servants,

Alavandar

Name.	Address.
1. M.S. Srinivasan.	18/98. Dr. Besant Road, Triplicane
2. R. Ranganathan	2. Vasudevapuram Triplicane
3. C.A. Pasupathi Jr	17, Bandla Venugopal naidu Street, Triplicane
4. [illegible]	11. Bontela Balu naidu St. Triplicane
5. S. Seshadri	111, V.M. St, Mylapore, Madras
6. M.R. Venkatesan	2 Vasudevapuram Triplicane Madras
7. R. Chandrasekhara Rao.	No. 20, Arunachala Achari St. Triplicane, Madras
8. R. Jagadeeswara Rao	No 20, Arunachala achari St, Triplicane Madras
9. Bhakthavatsal.	11, Ice House Road, Triplicane. Madras.
10. S.G. Shanmugam	3/6, Ice House Road, Triplicane, Madras.
N. V[illegible]	No 11 Vasudevapuram [illegible] Road Triplicane

NAME	ADDRESS
C. S. Bhaskar 67	101. A, Dr. Besant Rd., Triplicane
[illegible]	92, Dr. Besant Road, Triplicane
A. K. Jagannadhan	17/98, Ice House Road, Triplicane
M. K. Rangaswamy	2/98 Dr Besant Road Triplicane
A. Rangaviah	17/98. Ice House Road Triplicane
P. Sriramaiyengar	11. -98 Vasudevapuram Besant Rd Triplicane
R Vaidyanathaswamy Jagannathachariar	6 Vasudevapuram. 11/98 — do —
V. Varadachari.	9, Vasudevapuram. Dr. Besant Road, Triplicane
[illegible]	9 — 11 — 11
A.K. Swamy 50, T.P. Koil Street —	
T. C. Srinivasan	15. Vasudevapuram
P. S. Parthasarathy	11, Vasudevapuram
M.K. Sridharan	
[illegible]	11 Vasudevapuram.
S. Rangaswamy Iyer	100 Ice House Road, Triplicane
R. Srinivasan	103 Ice House Road, Triplicane.
[illegible]	102 [illegible]
N. Srinivasaraghavan	1/5 Ice House Rd.
K. Veeraraghavan	2/15 Ice House Road
M. Rajagopalan	105 Ice House Road
A. Sivapathamudaliar	140 Big Street
[illegible]	
D. S. Krishnaiyengar	63 Akbar Sahib Street Triplicane
N. Sumadri	32 Pycrofts Road Triplicane
K. Santhanam	88 Pycrofts Road Triplicane
M. Govinda Rao	7. Bakers Street Mylapore Madras
A. Munuswamy	56 Pycrofts Road
	52..
A Rajam	31 Pycroft Road Triplicane
T. S. Ramachandra	21 Sivaraman St
A. Saraswathi	2/63. North Tank Sq Triplicane
M. Sethuraman	8/9 Veeravenkatasami Naidu St Triplicane

B. Nammalwar Naidu, L. M. P.
PHYSICIAN & SURGEON.
TEL: No. 86439.

"BESANT CLINIC"
97, DR. BESANT ROAD,
TRIPLICANE.

65

Madras, 3.2. 1947.

40

The Honorable Minister for
Religious Endowment Board,
Government of Madras, Madras.

Sir,

Sub: Sri Parthasarathy Swami
Devasthanam vacant lands at
Ice House Road, Triplicane.

--

I am directed by some of the signatories of Triplicane to wait on you in deputation to place our grievances in respect of the above vacant lands belonging to Sri Parthasarathi Swami Temple in Ice House Road. I would therefore request you to kindly le me know the time and place that will be convenient for you to receive our deputation consisting of 5 members.

I am enclosing herewith a copy of letter addressed to you in respect of the above referred lands signed by some of the residents of Triplicane for your advance information.

I have the honour to be,
Sir,
Your most obedient servant,

Nammalwar

Dated 3rd February '47.

From: Dr. B. Nammalwar, L.M.P. & Others
97, Dr. Besant Road,
Triplicane.

Date: 3rd February, 1947.

To: The Hon'ble Minister for Religious Endowment Board,
Government of Madras,
MADRAS.

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Sir,

Sub: Sri Parthasarathi Swami Temple
vacant lands at Ice House Road, Triplicane.
--

We, the residents of Triplicane beg to bring the following few lines for your kind consideration and favourable orders:

We beg to submit that there is a plot of vacant land about 56 grounds in area in Dr. Besant Road (formerly Ice House Road) Triplicane, adjoining to Ice House Police Station belonging to Sri Parthasarathi Swami Devasthanam, Triplicane and we come to understand that the management of The National Girls School, Thulasingaperumal Koil Street, Triplicane is moving the Government with a view to acquire the said plot of land either on lease or as outright purchase for the purpose of building a new school for the girls. We would request your honour in this connection to allot the same only for residential purposes which call for immediate attention for the following reasons:-

1. The Triplicane area always abounds in mostly middle class people coupled with hundreds of families getting very low revenue most of whom are struggling to get residential quarters all the year.
2. There is acute shortage of houses in Madras City in general and especially in Triplicane area and about 40 to 50 houses can be constructed in the said plot, each house to accommodate atleast two families.
3. There is already a Pucca building for the girls school in question in the T.P. Koil Street, Triplicane which is spacious enough and situated in the heart of the Triplicane proper for the

2nd page.

for the benefit of the school-going children and there is therefore no urgent necessity for a new building.

4. The proposed site is just on the side of the bus route Triplicane to T.Nagar and is in the close proximity of a Toddy shop and Krishnampet burial ground which are not at all condusive to children in more than one way.

5. We further submit that the Lady Wellington Training College where a very large number of girl students are taking their studies is also situated just about a furlong from the site in question on the same road, and also there are about three Corporation Girls School in close proximity to the proposed site. Hence a new girl school may not be an urgent necessity at this juncture when other grave problems especially better housing is to be seriously thought of and ~~recovered~~ redressed atleast by the Popular Government.

Under the circumstances we earnestly crave the indulgence of your goodself to order allotment of the plot only for residential purposes and thereby alleviate a serious grievance of the residents of Triplicane in particular and the public in general.

We have the honour to be,
Sir,
Your most obedient servants,
Sd. Dr.B. Nammalwar Naidu.

Name.	Address.
M.S.Srinivasan.	18/98, Vasudevapuram, Ice House Road,
	2/98 " "
	7. Bandla Venugopal Naidu " "

PARTHASARA

THA:

DHAM CHETTY

1. 5th r

To

The Personal Assistant to the Collector of Madras,
Madras.

Sir,

Sub:- Mettukulam Garden situated at Ice House Road, Triplicane, R.S.No.870/2 Mylapore.

~~Refcexx~~

Since your inspection on 9-12-46 I sent a proposal to my brother trustees as per copy enclosed to ascertained from them if they are willing to accept my proposal. It was only to-ay I received a copy of their letter addressed to you on this subj ~~desiring~~ declining to accept my proposal.

The building programme ~~not~~ mentioned in their letter to the tune of 1 lakh is fantastic. If this land is disposed o there is no other land on which superstructure could be rais The little piece of land that is now available at T.P.Koil st will not require more than Rs.10000/- which could be found easi from the collections and from the National Girls' School itsel if the conditions proposed by me are accepted.

2. From the proceedings passed on 4-9-40 when Mr. C.Na simmachariar a senior Advocate of the Bar was a trustee it wa resolved to lease out the land on conditions specified in the proceedings a copy of which is enclosed.

3. The Board of Supervision were also of the same opin They have passed a resolution dated 7-10-45 after getting opinion ofthe Trustees. A copy of the resolution dated andthat of the Board of supervision dated 7-10-45 are enclo

4. Thus it will be seen that the majority of the trustees tha in office in 1940 and all the sevan members of the Board of Supervision were of the unanimous opinion to lease out the As per the clause (b) of Rule 31 of the Scheme framed in No.527/24 the decision of the Board of Supervision are bindi on the trustees

5. Thetemple has a large extent of land about 7 to 8 at Kodambakkam for sale. There are offers for the purchase the matter is before the Hindu Religious Endowments Board order

P.T

~~69~~ (44)

roposal materialises more than a lakh of rupees could
ed. The party has already deposited Rs.5000/- to the
dwhen it is decided there will be ample funds for the
o utilise for such pupposes as are neededurgently.

Absolutely there is no necessity to sell these pieces of land and get money. Even if it is sold it has to be invested on G.P.Notes. only. My proposal of Rs.5/ per ground per month
bear interest at 3% per annum, and theground value will be Rs.2000/ per ground which is the ~~xx~~ average price that could expected for the land and at the same time ~~i~~ will leave some land for the temple fo such purposes as may be~~x~~ required~~x~~ later on such as flower garden for the use of the temple. For the present 35 to 40 grounds may be leased out to the National Girls' School on terms and conditions noted in the sheet attached leaving the rest for the use of the ~~xxx~~ ~~a~~ temple.

7. The garden at Saligramam intended for rearing flowers is being misused and the majority are wasting temple money on the said land without getting proper return. This matter is also before the H.R.E.Board.

8. The temple had already invested in 3% stock

certificates a sum of	Rs. 80,600/-
For the lands already sold in different places and the amount held by the small Cause Court invested in 3%	Rs. 37,200/-
Apart from theabove under trust funds there are stock certificates to the face value of	Rs. 42,000/-
	. 159,000/-

The temple could sell any amount from the above investments whenever they are in need of money for improvements that are to ~~xxx~~ be made.

Yours faithfully,

Ranganadham

Note to D.1 and 2.

Mr. S.Raghava Iyengar, Personal Assistant to the Collector of Madras inspected the site at Mettukulam garden on monday the 9th evening at about 5-30 P.M. I am inclined to think from his conversation that he would be glad to recommend to the Govt. to drop aquisition proceedings provided we agree to lease out 35 grounds or 40 grounds for a long period to the authorities of the National Girls School retaining the rest for the temple use.

I propose the following terms.

(1) The lessees shall pay Rs.5/- per ground per month.

(2) The land will be leased out for a period of 50 years.

(3) The lessee should pay a deposit of one years ground rent as advance and pay the monthly rent on or before the 10th of next month.

(4) The ground rent shall be a charge on the superstructure raised by the lessee.

(5) The lessee should pay withing 3 months from the date of lease the value of 2 superstructures standing on the land for Rs.1000/- and Rs.4000/-

(6) The lessee should put up a compound wall within 3 months from the date of lease in default he shall forfeit the advance and the lease is liable to be cancelled.

(7) In addition to the ground rent the lessee shall pay Rs.15/- for every coconut tree in his plot.

(8) The lessees shall execute the lease deed in favour ofthe temple at their cost with the above conditions embodied therein.

(9) The lessees may obtain the orders of court to sell the land to them at the then market value on the expiry of the lease in case they intend to buy the land.

(10) The lessees should pay all the charges which the Corporation may demand for providing civic convenences required by the school authorities.

(11) The lessees should also undertake to pay the corporation taxes for the land and superstructure as fixed by the Corporation.

Request: I should like to have your reply by Friday the 13th instant

To

Sri Rao Sahib V.M.Lakshminarasimhachariar
Sri C.R. Jagganadhan Pillai.

Proceedings of the Trustees of Sri Parthasarathy Swamy
Temple dated 4-9-1940.

Present : Rao Bahadur V.Ranganadham Chetty
C.Narasimmachariar
(Mr. C.R.Jagannadham Pillai is ill at Sholinghur)

Lease of Mettukulam Garden: Resolved that the plots in Mettukulam garden as per plan approved by the Corporation be leased out for a term of 21 y ars on the following terms and conditions subject to the approval of the Board of Supervision:-

1. Lessees should ~~pz~~ pay a deposit of ₨.200/- per ground for laying roads etc. which will not be refunded to him on any account.

2. Lessee should pay a deposit of one year's ground-rent as advance and pay the monthly rent on or before the 10th of next month.

3. The ground rent shall be a charge on the superstructure raised by the lessee.

4. The lessee should build houses in accordance with the plan approved by the Corporation.

5. The lessee shall raise and complete the superstructure within 6 months from the date of lease; in default he shall forfeit the advance and the lease is ~~xxxx~~ liable to be cancelled.

6. ~~xxx~~ In additional to the ground rent the lessee shall pay ₨.15/- for every coconut tree in his plot.

7 Plots 1 to 5 and 7 shall be charged at ₨.12/- per ground per month, 6 and 14 at ₨.10/ per ground, plots 8,9,10,11,12,13,16,17,18 at ₨.9/- and plot No.19 at ₨.10 per ground per month.

8. The lessees shall execute registered lease deeds in favour of thetemple at their cost with the above conditions embodied therein.

9. After the lapse of 21 years thelessees shall have the option to renew the lease for another 21 years on the said terms and conditions.

10. The lesses may obtain orders of court to sell the plots to them at the then market value duringthe term of their lease in case they intend ~~xxx~~ to buy the land.

x x x x x

Sd. V.Ranganadham Chetty
" C.Narasimmachariar.

of the proceedings of the adjourned meeting of the Tru
Sri Parthasarathy Swamy Temple, Triplicane dated 13-7-45.

present

1 Sri Rao Bahadur V.Ranganadham Chetty (D.1)
2. " Rao Sahbb V.M.Lakshminarasimmachariar (D.2)
3. " C.R.Jagannadham Pillai (D.3)

Mettukulam Garden:- (D.1) This is a public eyesore. The ce House Road, is glowing with fine buildings ecept this gar ill do well for the members of the Board (of Supervision) to ect the site personally and observe the deplorable condition to ich the garden is allowed to be deteriorated. The trees are matered. No fencing is provided by the lessee who is bound to do so under the termsof the agreement. It has become a public thoroughfare and easing ground for the pedestrians. Plantations of cocanut trees will not only entail heavy loss to the temple and will prove a thorough failure in the long run if the former Govt. should take charge nd enforce prohibition. Under the above circumstances I appeal to the Board to reconsider their former decision and tak e immediate stesto lease out the plots as per lay outs sanctioned by the Corporation and thereby improve the income of the temple to Rs.2000/- to 2500/- per annum.

The lay out covers an area about 32 grounds including the roads Apart from this there will be still left 18¾ grounds which could be utilised for the purposes needed by the temple in case of any additional space is required. Allowing 5 grounds for the Parthasarathy Swamy Sabha one ground and 1400 Sq. ft for the existing building and a suitable compound for it, there will be about 25 grounds~~of~~ for leasing out to ~~Girls school of Triplicane~~ a single individual. The National Girls' School, Triplicane, I hear isin search of~~sxx~~ a suitabbe si te nearer to the residents of Triplicane. It will be doing a good service to the residents of Triplicane who are anxious to educate their girls and improve the locality to a great extent, and also save the temple incurri further expenditure if the said land is leased out to the N rls School they would themselves put up the compound wall improve the site and save the temple from expenditure.

By D.2 and D.3 :- The reconsideration of the subject is not for especially as it has been only recently decided after mature consideration and in consultation with all parties concerned. We have accordingly not traversed the various points raised by D.1 in his essay. We may however state that the financial soundness of D.1's proposal is problematical, as we have already shown. If the lessee has not done what he has to do it is only on account of the present times and we shall insist on these being done on pain of his losing the lease. The Trust Act has provided various safeguards to protect the trust lands being alienated lightly and we do not know why D.1 is insistent on throwing away the only piece of open land which we have near the temple. If D.1 will be more sympathetic we have no doubt that this garden will look like an Uthyanavanam amidst the conjested buildings which arise in the locality and provide those buildings with necessary lungs without which the buildings may become unhealthy. The garden has become a waste during the occupation of P.M.Guruswami the former lessee who held it under D.1 (& others who were coming and going) for many years without watering the trees until D.2 with his colleagues got a decree against Guruswamy to eject him out of the garden. The havoc he committed has still to be mended.

By D.1. Evidently D.2 and D.3 by saying "uthyanavanam" to mean a park to be resorted to by the public. It is the duty of the Corporation City fathers to create parks for the public to resort on poramboke lands granted by the Government free of tax. The Government will never allow house sites to be converted into parks for the public to resort. The Trustees of the Temple are expected to safeguard its interest and not to utilise valuable house sites for such fantastic view of the majority trustees.

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Sri Parthasarathy Swami Devasthanam, Triplicane.

RAO SAHIB
V. M. LAKSHMINARASIMHACHARYA
C. R. JAGANNATHAM PILLAI
RAO BAHADUR
V. RANGANATHAM CHETTY.
Dharmakarthas.

Dated, -12- 1946.

To The Personal Assistant to the Collector of Madras.

Sir,

Ref. S. No. 87/2 -Mylapore- LAND ACQUISITION
-Inspection on 9-12-1946

We regret to say that we were unable to be present at the inspection. Our manager whom we sent with instructions to represent us was unable to say anything in the presence of Sri.Rao Bahadur.V.Ranganatham Chetty who gave his own views without caring for his colleagues.

2. He has now sent us what views he presented before you- The first proposal is to lease out the land at R per ground for 50 years and then to sell the la lessee.

(1) When the land is not going to come back to us we not see why we should not sell it outright at once. (2) Leasi is distinctly disadvantageous to the temple. Even if the land sells at Rs 2500/-it will really fetch more. We shall get interest of Rs 6/ per month from Government without col charges where as the lessee will pay only Rs 5/ per mon per ground

The Engineer of the .R. Board has drawn up a building programme for new construction on vacant lands d for additions to existing buildings wich will all cost about a lakh of rupees. We hope to get the sale money through the intervention of the H.R.E.Board and invest it on the buildings. We can realise a return of 6 to 9 % after providing for a sinking fund-the annual repair charges and corporation taxes.

3. Sri.Rao Bahadur.V.Ranganatham Chetty's 2nd proposal is to retain 15 grounds or thereabouts to the temple.

(1) Our original proposal was to retain the whole plot to ourselves but we decided on the sale of the plot as the land has been neglected for the past 25 years, and it ~~was~~ would require to reclaim it, a lot of money which we could il afford to find. This objection holds good for the 15 grounds also. Space will be found elsewhere for the construction of the cowshed, horse shed and Nandavanam etc which we original intended to put there.

(2) The Corporation had once an eye on the plot which Sri.Rao Bahadur.V.Ranganatham Chetty proposes to retai for the temple. Though~~x~~ the Corporation has abandoned the idea on account of the present financial pressure the need land is there and the Corporation will take the earliest

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opportunity of acquiring it. Moreover the National school glad to say is an expanding institution and land required for growing need of the school will be taken only from the next plo. We should very much like to save our successors from a repitition of the trouble and turmoil which we now experience.

(3) The National school authorities applied for the whole plot and they need not be inconvenienced ~~and asked to make any~~ sacrifice.

(4) Before we know anything about the acquisition proposals we had obtained the permission of the H.R.E.Board to sell the plot by auction. We have protested against the stopping of the sale ordered by Government and shall welcome any orders dropping the acquisition proposals in favour of sale by auction. We have shown above how Sri.Rao Bahdur.V.Ranganatham Chetty's proposals are not in the interest of the temple. ~~but in the interest of somebody else.~~

We trust that the benign Government and its officers will consider this matter carefully and impartially and will fully safegaurd the interest of the temple, any favour to the National school being shown independantly of the temple.

Copy
To The Hon'ble.Mr.Koti Reddy
Minster for Endowments

We have the honour to be
sir,
Your most obedient servants

C. R. Jaganatha Pillai

~~10~~ 28

(50)

The National Education Society, (Regd.)
Madras.
In management of
The National High School (Girls) & The National Secondary School, Triplicane.

GOVERNING BODY:
Rao Bahadur Dr. T. S. Tirumurti *(President)*
Sri C. R. Pattabhi Raman
Dr. V. Rama Iyengar
Sri S. Venkatesa Iyengar
Sri S. Ramaswami Naidu
Rao Bahadur K. R. Ramanujam
Sri K. Ramiah Chettiar
Rao Sahib N. K. Thirumalachari *(Founder Secretary)*

OFFICE: "JANARDHAN"
11, EDWARD ELLIOTS ROAD.
MYLAPORE MADRAS.

Dated 16th December 1946

To

The Collector of Madras,
Madras.

Sir,

Sub: Acquisition of site R.S.No.870/2 in the Ice House Road, Triplicane, belonging to Sri Parthasarathi Swami Devasthanam for the construction of The National High School (Girls) school house, hostel and provision of playgrounds.

I have the honour to make the following representations to you in the above matter.

Prior to the initiation of the acquisition proceedings, we approached the Board of Trustees and the Board of Supervision for sanction on a long lease of the site in question on a fair and reasonable rent to house our School, which has much out-grown its present rented buildings.

Our application was strongly supported by the residents of Triplicane, who sent a memorial, dated 31-8-'45, to the Trustees in the following terms:--

"We, the residents of Triplicane request you to be pleased to allot on a long lease at a

P.T.O.

A

fair and reasonable rent the vacant site comprised in Mettukulam Garden, Ice House Road, to the Management of the National High School (Girls), Triplicane, for the erection of their school house and for providing playgrounds for the children. The school meets a real need in the locality and caters in main to our children. It is run on purely Hindu lines and has been doing excellent work so far."

(signed by residents of Triplicane)

The Board of Supervision in their resolution dated 7-10-45, unanimously sanctioned the lease. The Board of Trustees, however, did not decide the matter and evaded the disposal of the same, though it was common knowledge that Rao Bahadur V.Ranganatham Chettiar one of the Trustees, was in favour of the sanction of an immediate lease in our favour; but as he was in a minority, he could not carry out the recommendations of the Board of Supervision. Our innumerable representations to the other two trustees bore no fruit.

Her Excellency Lady Hope, who had visited the school took a keen interest in the welfare of our institution and through her good offices, the Government was pleased to order the compulsory acquisition of the entire site for providing a school house, hostel and playgrounds.

You were pleased to inspect the site in question on 9-12-46 after notice to the Trustees and to us. At the inspection only one of the Trustees, Rao Bahadur V. Ranganatham Chettiar was present and as a result of the discussions it was proposed that we should agree to give up a portion of the site measuring 18 grounds in the extreme south and that we should take the ~~site~~ rest of the site on a long lease at a fair and reasonable rent. You were pleased to state that if we were agreeable to the above proposal of Dewan Bahadur V.Ranganatham Chettiar, you would recommend to the Endowment Board to sanction a long lease of the site in our favour and that, pending the disposal of the matter by the Endowment Board, the acquisition proceedings would be kept in abeyance.

The National Education Society, (Regd.)
Madras.
In management of
The National High School (Girls) & The National Secondary School, Triplicane.

GOVERNING BODY:
Rao Bahadur Dr. T. S. Tirumurti (President)
Sri C. R. Pattabhi Raman
Dr. V. Rama Iyengar
Sri S. Venkatesa Iyengar
Sri S. Ramaswami Naidu
Rao Bahadur K. R. Ramanujam
Sri K. Ramiah Chettiar
Rao Sahib N. K. Thirumalachari (Founder Secretary)

OFFICE: "JANARDHAN"
11, EDWARD ELLIOTS ROAD,
MYLAPORE MADRAS.

Dated 16th December 1946

In the light of the discussions that took place before you we are agreeable to accept your advice to take only 36 grounds on a 99 years' lease on the usual statutory terms on a fair and reasonable rent that you may be pleased to suggest.

Thanking you very sincerely on behalf of the management, staff and children of the school.

Yours faithfully,

T. S. Tirumurti

President.

Copy to:
1. The Hon'ble Minister for Endowments, Madras,
2. The President, H.R.E.Board, Madras.
3. The Trustees, Sri. Parthasarathi Swami Devasthanam, Triplicane.

APPLICATION FOR SITES

At Mettukolam Garden
in R. S. No. 870/2, Triplicane.
Lay Out No. 20/39.

Date,........................

Name........................

Address........................

Plot No........................

Extent........................

Rate........................ Total Rs........................ per month

Total for one year........................ Rs........................

Cocoanut Trees Nos. @ Rs. 15/- Rs........................

Law Charges........................ Rs........................

Corporation Charges at Rs. 200 per ground Total Rs........................

If for sale rate per ground........................

25% of the amount, as advance........................ Rs........................

Cheque / Cash Enclosed........................ Total Rs........................

Signature........................

N.B.—I agree to abide by the conditions printed overleaf.

CONDITIONS OF LEASE OR SALE

Mettukolam Garden

Layout No. 20/39. R. S. 870/2, Triplicane.

1. The lease will be in the first instance for a period of 21 years and will be subject to renewal for another period of 21 years, under the same conditions and terms.

2. The ground rent of sites facing Ice House Road viz. Nos. 1, 3, 4, 5, and 7 will be at Rs. 12/- per ground per month. The ground rent for sites Nos. 2, 6, 14, 16, 17, and 19 will be at Rs. 10/- per ground per month and for sites Nos. 8, 9, 10, 11, 12, 13, and 18 will be at Rs. 9/- per ground per month.

3. The applicant should deposit one year's rent calculated at the above rate as advance, which will be adjusted at the end of the tenancy. and also pay @ Rs. 15/- per cocoanut tree on the plot.

4. He should further deposit at the rate of Rs. 200/- per Grd. the expenses for meeting the corporation charges for laying roads, drains, etc., which will not be refunded.

5. He should also remit Rs. 50/- for each plot as his share for law charges to obtain the court's sanction of the lease or sale. This will not be refunded.

6. The superstructure should be constructed in the manner sanctioned by the corporation.

7. The ground rent of the plot will be the first charge on the superstructure.

8 The lease will be cancelled if the building is not raised within 6 months from the date of the sanction of the lease by the court and he will forfeit to the temple the amount deposited as rent and Law charges.

9. The applicant will have to execute a lease deed on stamped paper on terms and conditions that will be furnished by the temple and have it registered at his cost.

10. In case the applicant wishes to purchase the site out right he will deposit 25% of the value calculated at the rate of Rs. 2,500/- per ground for plots 1, 3, 4, 5, 7, and at the rate of Rs. 2,250 for plots Nos. 2, 6, 14, 16, 17 and 19 and at the rate of Rs. 2000/- per ground for plots Nos. 8, 9, 10, 11, 12, 13, and 18. The balance amount will be payable within 2 months from the date of the order of the court. Cocoanut trees will be charged as per clause No. 3. The superstructures on plots 1, 2 & 7 will be charged extra.
The trustees are willing to consider any reasonable proposals which the applicant is willing to make.

Dated, 10—2—1942.

1633-B
4/2/47

EDH(Sc.)

Schools. The National High School. Girls Triplicane. Acquisition or lease of R.S. 870/2 - Mylapore - belonging to Sri Parthasarathy Swami Devasthanam

From the P.S.G. DO. 317 C/47-1 d/1.2.47

Please see the D.O d/1.2.47 from the P.S.G.

The main file on the above subject was circulated to HM (HRE) on 24.10.46. This may be circulated ~~in continuation note~~ to HM (HRE) for orders as to the reply to be sent to the P.S.G.

R. Below

6.2.47

7-2.47

S

8/2/47

Orders in the connected file
HM (HRE)

13/3/47

SECRETARY, EDN. AND P. H. DEPT.
14 MAR 1947
GOVERNMENT OF MADRAS

(54)

Edn. and P.H. Dept.

MEMO No. 54344/46 - B1, - 8 Edn. 19-3-47

Dr Patnaik
19/3/47

Land Acquisition - The National High School for girls, Triplicane - Acquisition of site R.S. No. 870/2, Ice House Road belonging to Sri Parthasarathiswami Devasthanam.

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pp1-9 cf

Petition from Rao Sehib V.M. Lakshminarasimhachariar and C.R. Jagannathan Pillai, Trustees dated 14-9-46 and 14-12-46.

...

pp78-80 cf

From the Pt. The National Education Society, Mylapore dated 16-12-46.

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The Govt. consider that it would be in the best interests of Sri Parthasarathiswami Devasthanam, Triplicane and of the management of the National High School for girls, Triplicane, if the entire site R.S. No. 870/2 in Ice House road, Triplicane, belonging to the Devasthanam is given ~~on a long~~ on long term lease of 99 years to the National Education Society, Triplicane, for use as a site for the construction of ~~a~~ school building and a hostel and for the provision of a playground for the school, ~~with~~ subject to sufficient safeguards for the payment of rent regularly, ~~instead of [illegible]~~ being sold away. The rent may be fixed on the basis of interest at 3 per cent per annum on the market value of the site. If the Collr. of Madras had already fixed the market value ~~for~~ in connection with the acquisition ~~[illegible]~~ proceedings, the rent may be calculated on that value; otherwise the market value may be determined in consultation with the Collector.

2. The President, H.R.E. Board is requested to see that the suggestions for lease ~~[illegible]~~ are put through immediate and that the Trustees agree to the grant of the lease.

3. The Collector of Madras is requested to keep in abeyance the land acquisition proceedings pending the disposal of the matter by the H.R.E. Board.

W
18.3.47

To
The Pt. H.R.E. Board ✓
The Collr. of Madras. ✓
The Pt. National Edn. Society, Triplicane. ✓

18/3/47

To the Secretary,
The National Edn. Society,
11, Edward Elliots Road
Mylapore, Madras.

~~83~~

B1 (55)

Revenue Department
Subject

Land Acquisition - (Madras) - Madras City - Mylapore - S. No. 870/4 - for Construction of school buildings, hostel for playground for the National High School (Girls), Triplicane - Draft declaration - Submitted.

(55)

TO GOVERNMENT
28 MAR 1947
EDUCATION AND PUBLIC HEALTH DEPARTMENT

Ref.No.L.643/47-2

Station: Madras dated the 26th March 1947.

From
C.A. Ramakrishnan Esq., I.C.S.,
Joint Secretary, Board of Revenue.

-

Sir Gerald Priestley K.C.I.E., I.C.S., Commr. of Land Rev. & Irrign.

24847
MW

-

Read the following:

Letter from the Collector of Madras, No. R.Dis. 2168/46 dated 31st January 1947.- [illegible]

Ref:- G.O. No. Ms. 1748 Edn. dated 10-9-1946.

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The notification under Section 4 (1) of Act I of 1894 was published at page 410, Part I B, Fort St. George Gazette dated 7-9-46. The notices under Sections 4 (1) and 5-A were published and served in the manner prescribed in the Land Acquisition Act.

2. The Sri Parthasarathy temple is the owner of the property. Sri Lakshmi Narasimhachari and Sri Jagannatha Pillai, two out of the three trustees object to the acquisition on the following grounds:-

(a) The temple is in need of the lands for several purposes.

(b) It cannot get an open land near the temple precincts like the present one at any time

(c) The site is a most suitable place for constructing a Vahana godown and also for constructing a stable for horses, a shed for the cattle, for the elephant which may be acquired at any time, quarters for the staff employed to attend the animals and for growing a Nandavanam which is very essential for the temple.

(d) The temple is likely to get more amount by auction sale of the site than what the Land Acquisition Officer is likely to pay for it.

(e) The authorities of the school having failed to secure 25 grounds of the site on lease from the trustees want 54 grounds in the hope that the land can be secured at a low value.

(f) Other lands are available for acquisition for the school.

3. Objections(a) to (c) lose their force because the objecting trustees admit that the land was advertised for sale by public auction (para. 5 of the petition dated 12-10-1946) and that the value of the lands has increased four times than what it was even two years ago and that the minimum value that can be got for this property will be anything above Rs.3,500/- per ground (para. 9 of the petition). This makes the point clear that the temple is not in absolute need of the property. As regards item (d) of the objection, I submit that the value for the land, the several trees and the buildings will be duly settled by the Land Acquisition Officer at the award enquiry and if the two trustees are dissatisfied with the award they have got the option of referring the question to the Civil Court under Section 18 of the Land Acquisition Act for a judicial decision. The trustees' apprehension that low value will be awarded has no basis at this stage. In fact the buildings on the land have been got valued by the P.W.D. The value of the land and the trees is under consideration. It will be settled later on.

Objection (e).- Please see Government Memo. No.39064-B-1-5 Edn. d 14th March 1946 (copy enclosed). On the recommendation of the ctor of Public Instruction, Madras, the Government have ordered acquisition proceedings might be taken for securing 54 grounds. Hence the question on lease of less area does not arise.

Objection (f). The Advocate for the objecting trustees filed a sketch pointing out a piece of land said to be available for acquisition. It is R.S.No. 938 to the east of R.S.No. 870/2 the plot proposed for acquisition. Irusappa Gramani Street runs between the two plots. R.S. No. 938 measures only 23 grounds and 590 sq. ft. I enclose a combined topo sketch of the proposed and the alternative sites. The alternative site contains a Karumantharachavadi (i.e.) building for performing funeral ceremonies by the brahmins. It is unsuitable as a site for the school. Acquisition of the alternative site will entail demolition of the compound wall. If the portion occupied by the Karumanthiram shed is excluded, it becomes too small for the purpose of the school.

4. There is dissension among the trustees of the temple. The site was inspected on 9-12-1946 by my previous Personal Assistant, Sri Rao Sahib S. Raghava Ayyangar. He has noted that the alternative site suggested by the temple authorities is unsuitable for the school. At the time of inspection Dr. T.S. Tirumurthi on behalf of the school and Sri Rao Bahadur V. Ranganatham Chettiar, one of the trustees of the temple expressed the view that they considered that a lease of about 35 grounds for the school would be a suitable arrangement in the interest of both parties. The lease has not materialised on account of the objections of the other two trustees. Therefore, the acquisition of the site as notified under Section 4 (1) may be proceeded with over ruling the objections.

5. There is no difference in area between the 4 (1) notification and the D.D. now submitted.

6. I enclose the following records:-

1.	Served copy of notice under Section 4 (1) and 5-A	1
2.	Objection petition dated 12-10-1946 from Rao Sahib V.M. Lakshminarasimhachari and C.R. Jagannatha Pillai.	19 sheets
3.	Mahazar from Srinivasa Sangam (Ladies Association)	1 sheet
4.	Letter dated 7-11-1946 from the Founder Secretary of the school with its enclosures.	6 "
5.	Sketch filed by the objectors.	1 "
6.	Topo sketch showing the site proposed and the alternative site.	1 "
7.	Letter dated 15-12-1946 from Sri Rao Bahadur V. Ranganatham Chettiar with its enclosures.	7 "
8.	Letter dated 14-12-1946 from the objecting trustees	2 "
9.	Letter dated 16-12-1946 from the President of the National Education Society, Dr. T.S. Tirumurthi	2 "
10.	Revised scheme of Sri Parthasarathy Temple C.S.No. 527 of 1924.	1 book
11.	D.D. in duplicate.	2copies.
12.	Copy of Government Memo. No. 39064/B-1-5 Edn. dated 14-3-46.	1 sheet.

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II

Letter from the Collector of Madras, No. 1283/47-C1 dated 20-2-47:-

Ref:- Board's No.I.643/47-1 dated 12-2-1947.

I enclose a copy of Government Memorandum No. 39064-B-1-5 Education dated 14-3-1946. The school authorities have agreed to pay enhanced compensation, incidental charges etc. if the matter is taken to the Civil Court under Section 18 of the Land Acquisition Act. The agreement was submitted to Government along with my letter o.2168/46-C1 dated 2-9-1946.

(not now enclosed)

REFERENCE.

Submitted to the Government.

2. In the circumstances reported the Board agrees with the Collector and recommends that the objections to the acquisition may be overruled and that the draft declaration may be approved and ordered to be published in the Gazette.

for Jt. Secretary.

To the Secretary to Government, Education & Public Health Department with enclosures.

v.c/26.3.47.

19/26/3

E&P.H (B)

This may lie over ~~till~~ pending the receipt of the reply to the Memo. No. 54344/46-?? d 19/3/47 from the President, Hindu Religious Endowments. Madras

29.3

29/3

29/3/47

86 (57)

Edn.& P.H.(B1)

Land Acquisition-The National High School for girls, Triplicane-Acquisition of site R.S.No. 870/2, Ice House Road belonging to Sri Parthasarathiswami Devasthanam.

Government Memo. No. 54344/46-B1-3 Edn. dated 19-3-47

Memo.No. 20842/47-3-1 Edn. dated 26/5/47.

27/7

Issue 82 27/5

The attention of the President, H.R.E. Board is invited to the Government Memo cited above and he is requested to state whether the matter has been disposed of on the lines suggested in the Government Memorandum, and to furnish a copy of the orders passed. If the matter is still pending, he is requested to state in what stage the matter now is, ~~a[illegible] [illegible]ply may be expected.~~

OK 24/5

To the President
H.R.E. Board. ✓

Hm 23/5

USR 23/5/47

Desp'd R 29/5

23-5-47

B1/A83

Office of the Board of Commissioners
for Hindu Religious Endowments,
Cathedral P.O., Madras.

Tele: "Religious"

Letter No. 64427/46-21-Adm-dated 11th June 1947.

From

Sri Rao Bahadur T.M. Chinnaiya Pillai, M.A., B.L.,
President, Hindu Religious Endowments Board,
Madras.

To

The Secretary to the Government of Madras,
Education & Public Health Department,
Fort St.George, Madras.

Sir,

Sub: Land acquisition - The National High School for girls - Triplicane - Acquisition of site R.S.No. 870/2 - Ice House Road belonging to Sri Parthasarathaswami Devasthanam.

Ref: Government Memorandum No.54344/46-B-1-3-Edn. dated 19-3-1947 and 24847/47-B-1-1-Edn.dated 26-5-1947.

page 82 ante

page 86 ante

4 9057

I have the honour to forward herewith a copy of the Board's Order No. 1674 dated 6-6-1947 passed in the above matter.

12 JUN 1947

I have the honour to be,
Sir,
Your most obedient servant,

President.

M.G.11.6.47.

Encl: 1 (copy of B.O.No.1674 d/6-6-1947).

[illegible]
Office of the [illegible]
for Hindu Religious Endowments,
Madras-4.

In the matter of Sri Parthasarathiswami temple, Triplicane, Madras.

In the matter of the Lease of site - R.S. No. 870/[illegible] in [illegible] Road, Madras belonging to the Devasthanam for 99 years to the National Education Society, Triplicane, Madras.

Board's Order No. 1674 dated 6-8-1947.

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1. The entire site may be leased out to the National Education Society, Triplicane for 99 years for the construction of a school building, a hostel ~~xx~~ and a ~~xx~~ play ground for the school.

The rent is fixed at 3 per cent per annum on the market value of the site. The value of the site is fixed at Rs.2000/- per ground omitting the allowance plus the value of the super--structure etc. which is fixed at Rs. 6750/-

CONDITIONS OF THE LEASE.

(a) Payment of rent should be made twice a year, on the 5th of January and 5th of July.

(b) Failure to remit three instalments will automatically cancel the lease and entitle the Devasthanam to enter upon the premises without any liabilities to pay for the buildings etc. constructed. The Devasthanam will have also the right to sell the superstructure etc. in open auction and after adjusting its dues, pay the balance, if any, to the Society.

(c) The site or any part thereof should not be used for any purpose other than the school.

(d) No portion of the site or construction made therein should be subleased. Any infringement of this clause and clause (c) will have the effect of cancelling the original lease.

(e) Nothing should be done to the site which would depreciate its value.

The lease deed has to be got registered at the cost of the lessee.

V.S. Row,
Ag. Secretary.

Forwarded/ By Order.

Superintendent.

Dis. 11/8. 11/6

To 1. Rao Sahib K.K. Tirumalachari, B.A., B.L., The Founder, Secretary and Correspondent, The National Education Society, 'Janardhan', 11, Edward Elliots Road, Mylapore, Madras.
2. The Trustees, Sri Parthasarathiswami temple, Triplicane, Madras.
3. The Collector of Madras, Madras. (4) The Assistant Commissioner, H.R.E., Madras City.
5. The Secretary to Government, Education and Public Health, Fort St. George, Madras. (with a covering letter).

Extras. 5.

1685
20/6

84

T. M

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From

The Assistant Secretary,
Education & P. A. Department.

Despd
23/6

To
The President,
Hindu Religious Endowments Board

Page 87 C/f

Ref: ~~Presid~~ your letter No. 64427/46-2/-Adm dated 11/6/47 regarding the acquisition of site belonging to Sri Parthasarathiswami ~~for~~ Devasthanam ~~& Board's order no. 1674 d/ 6/6/47~~

Issued
19/6/47

Please ascertain and report whether the trustees of ~~the~~ Sri Parthasarathiswami temple, Triplicane have agreed ~~are acceptable~~ to the leasing out the site to the National Education Society on the terms laid down ~~as directed~~ in Board's order No. 1674 d/ 6/6/47

P C to go

Mr
18/6/47 KSN
18/6/47

18.6.47

DRAFT FOR APPROVAL.

SUBJECT :—

	Date.	Initials.
When received for fair copying ..		
When copied ..		
When examined..		
When signed ..		
When despatched.		

READ AGAIN ...., dated ....

„ „ .... „ ....

READ *ALSO* :—

No. .... From the ...., No. ...., dated ....

„ .... „ .... „ .... „ ....

„ .... „ .... „ .... „ ....

Order / Resolution Ms. / Rout. No. ...., dated ....

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90 / ~~[illegible]~~ b) ⑥① 90

Office of the Board of Commissioners for
Hindu Religious Endowments, Madras-6.

ASSISTANT SECRETARY TO GOVERNMENT
20 JUN 1947
EDUCATION AND PUBLIC HEALTH DEPARTMENT

Post copy of Telephonic Message dated 19.6.47. ⑥①

From

5(215

The Ag. Secretary,
Hindu Religious Endowments Board,
Madras.

To

The Asst. Secretary,
Education and Public Health Department,
Madras.

Ref:- Your Telephonic Message of date re: the leasing of site belonging to Sri Parthasarathyswamy Temple, Triplicane to the National Education Society, Triplicane.

Information is being called for from the Trustees. A further report will be made on receipt of reply from the Trustees.

[illegible] 19.6.47.
Ag. Secretary

NV/19-6-1947.

E&PH(3)

In the circumstances stated above, the report may be awaited till [illegible]

19/6

20/7/47

~~[illegible]~~

W
20.6.47

B1 9

Office of the Hindu Religious Endowments Board,
Madras - 6.

Post Copy of Telephonic Message dated 28-6-47.

ASST. SECRETARY TO GOVERNMENT
29 JUN 1947
EDUCATION AND PUBLIC HEALTH DEPT.

A.S.III

The President,
Hindu Religious Endowments Board,
Madras - 6.

To

The Assistant Secretary to the Government of Madras,
Education & Public Health Department,
Fort St. George, Madras.

53567

Sub: Land Acquisition - Madras City - R.S.No.870/2 belonging to Sri Parthasarathiswamy Devasthanam, Triplicane - Madras for the National High School for Girls - Triplicane.

Ref: Post Copy of your Telephonic Message dated 19-6-47.

A copy of the letter dated 24-6-47 of the trustees of the above temple agreeing to lease the site to the National Education Society on the terms of the Board's Orders, is enclosed for your information.

T.M. Chinnaiya Pillai,
President.

Encl: 1.

Forwarded/
28.6.47
Ag. Secretary.

Sri Parthasarathy Swami Devasthanam, Triplicane.

Rao Sahib
V.M.Lakshminarasimhacharya
C.R.Jagannatham Pillai
Rao Bahadur
V.Ranganatham Chetty.

Dharmakarthas.

Dated 21st June 47.

D 389/46.47-X24-6-47.

To
The Secretary,Hindu Religious Endowments Board,
Madras.

Sir,

Ref: Your letter,64427-Adm-22-dated 19-6-47

We are willing to lease the site to the National Educational Society as per terms laid down in Board's Order No.1674 dated 6-6-47 and have also communicated the National Educational Society authorities to hasten up the lease agreement very early and also take ccharge of the garden on 1st July 1947. We are awaiting their draft agreement.

When Mr.Rao Sahib N.K.Thirumalachariar personally called on one of us Sri Rao Bahadur V. Ranganatham Chettiar, he was also intimated of our willingness.

Yours faithfully,
Sd.C.R.Jagannatham Pillai.
Sd.V.Ranganatham Chetty.

/True Copy/

PNR 28/6

64

The National Education Society, (Regd.)

Madras.

In management of

The National High School (Girls) & The National Secondary School, Triplicane.

GOVERNING BODY:
Rao Bahadur Dr. T. S. Tirumurti (*President*)
Sri C. R. Pattabhi Raman
Dr. V. Rama Iyengar
Sri S. Venkatesa Iyengar
Sri S. Ramaswami Naidu
Rao Bahadur K. R. Ramanujam
Sri K. Ramiah Chettiar
Rao Sahib N. K. Thirumalachari (*Founder Secretary*)

OFFICE: "JANARDHAN"
11, EDWARD ELLIOTS ROAD.
MYLAPORE MADRAS.

Dated 28th June 1947.

ASST. SECRETARY TO GOVERNMENT
1 - JUL 1947
EDUCATION AND PUBLIC HEALTH DEPT.

The Secretary to Government,
Education and Public Health,
Fort St. George, Madras.

53

Sir,

Sub: In the matter of Lease of R.S.No.12 870/3 Ice House Road, Triplicane, belonging to Sri Parthasarathi Swami Devasthanam in favour of The National High School (Girls), Triplicane under the Management of the National Education Society (Regd.) Madras.

Ref: Your Memorandum No.54344 /46 B1-3 Edn. dated 19th March 1947.

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2. Hindu Religious Endowments Board's order No. 1674 dated 6-6-47.
3. Letter No.368/46-47 dated 18th June 1947 of the Trustees of Sri Parthasarthi Swami Devasthanam, to us.

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p 82 ante

p 88 ante

p 98 supra

I have the honour to bring to your kind notice that on the ~~issue~~ of the order quoted above of the Government dated 19th March 1947, the President, H.R.E. Board was pleased to summon a meeting of the representatives of the National Education Society and the Trustees of the Parthasarathi Swami Devasthanam

Mp6797 wfa

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and after hearing us he was pleased to pass order No.1674 dated 6-6-47 sanctioning the lease of the site, for 99 years for the construction of our school buildin, hostel and provision of playground etc. After the said orders ~~were~~ was received the Trustees have written to us to execute the necessary Lease Deed and enter upo the premises on the 1st July 1947. In our letter to the Trustees dated 23-6-47, a copy of which is herewith sent we have written to them to say that we are awaitin orders from the Director of Public Instruction at whose instance the Land Acquisition Proceedings were instiate as to the step we have to take. We have also pointed out in the said letter that they should give us full and complete vacant possession of the entire site ejecting all the tenants there and the tresspassers in their property as our educational institution cannot embark upon litiguous proceedings. Apparently the Trustees would not agree to this course as by their letter dated 25th June 1947, which is enclosed herewith, they state that it is for the educational institution to take steps to evict persons from the site and secure possession. We have this day written to the President Endowment Board bringing to his notice all these facts and praying his intervention in this matter by giving appropriate directions to the Trustees to give us full and vacant possession of their property. We have also sent to the Director of Public Instruction a letter dated 29th June 1947 with copies of the orders quoted above and the letters that passed between us and the Trustees.

p101 wfa

L

A We pray that you may be pleased to instruct the President, Hindu Religious Endowment Board to direct the Trustees to give us full and vacant possession of the entire site, evicting on their own responsibility and cost their tenants and tresspassers on their site.

We request you to stay the withdrawal of the Land

7

65

The National Education Society, (Regd.)

Madras.

In management of

The National High School (Girls) & The National Secondary School, Triplicane.

OFFICE: "JANARDHAN"
11, EDWARD ELLIOTS ROAD.
MYLAPORE MADRAS.

GOVERNING BODY:
Rao Bahadur Dr. T. S. Tirumurti (*President*)
Sri C. R. Pattabhi Raman
Dr. V. Rama Iyengar
Sri S. Venkatesa Iyengar
Sri S. Ramaswami Naidu
Rao Bahadur K. R. Ramanujam
Sri K. Ramiah Chettiar
Rao Sahib N. K. Thirumalachari (*Founder Secretary*)

Dated 28th June 1947.

--3--

B Acquisition proceedings until we inform you duly that possession has been obtained and we have executed in favour of the temple the necessary legal Lease Deed.

We beg to thank you for all your assistance in this matter and support you have given to our institution in securing the site in question on a long lease.

I have the honour to be,
Sir,
Your most obedient Servant,

Founder-Secretary &
Correspondent.

Encs.

Edn. & P. H. Deptt

Endt

Referred to the President Hindu Religious Endowments, Madras for remarks on the portion marked 'A' on page 2 ante.

To the President
Hindu Religious Endowments.

Assistant Secretary for
20/7

Tele: Religious.

Office of the Board of Commissioners for Hindu Religious Endowments Board, Madras-6

In the matter of Sri Parthasarathiswami Temple, Triplicane. Madras.

In the matter of the Lease of site --R.S.No.870/2 in the Ice House Road, Madras belonging to the Devasthanam for 99 years to the National Education Society Triplicane, Madras.

Board's Order No.1674 dated 6-6-47.

1. The entire site may be leased out to the National Education Society, Triplicane for 99 years for the construction of a school building, a hostel and a playground for the school.

The rent is fixed at 3 per cent per annum on the market value of the site. The value of the site is fixed at Rs.3000 per ground omitting the allowance plus the value of the superstructure etc. which is fixed at Rs.8750/-

CONDITIONS OF THE LEASE.

(a) Payment of rent should be made twice a year, on the 5th of January and 5th of July.

(b) Failure to remit three instalments will ~~autho~~ automatically cancel the lease and entitle the Devasthanam t to enter ~~into~~ upon the premises without any liabilities to pay for the buildings etc. constructed. The Devasthanam will have also the right to seal the superstructure etc. in open autotion and after adjusting its dues, pay the balance if any, to the Society.

(c) The site or any part thereof should not be used for any purpose other than the school.

(d) No portion of the site or construction made therein should be subleased. Any infringement of this clause and clause (c) will have the effect of cancelling the original lease.

(e) Nothing should be done to the site which would depreciate its value.

The Lease deed has to be got registered at the cost of the lesee.

V.S.Row
Ag. Secretary.

Forwarded by order.

to

etc.

(True copy)

Sri Parthasarathi Swami Devasthan, Triplicane.

Dated 18th June 1947.

Rao Sahib
V.M.Lakshminarasimhacharya
C.R.Jagannatham Pillai
Rao Bahadur V.Ranganatham Chetty.
DHARMAKARTHAS.

67

D. 368/46-47

To Sri Rao Sahib N.K.Thirumalachari, Secretary
The National Education Society, Madras.

Sir,

We believe you would have received a copy of the Board's communication No.1674 dated 6-6-47, sanctioning 99 years' lease on the entire land available in R.S.No.~~86X~~ 870/3 Ice House Road, on certain conditions and terms. Please be good enough to prepare and send a draft Lease Deed at a very early date and to have the same registered before the end of this month. You have to occupy the premises from the 1st of July 1947.

Yours faithfully,

Sd. V.M.Lakshminarasimhachari
,, C.R. Jagannatham Pillai
,, V. Ranganatham Chetty

(True copy)

20th June 1947.

The Director of Public Instruction,
Madras.

Sir,

Sub) Acquisition of 54 grounds in R.S.No.870/2 Ice House Road, Triplicane, belonging to Sir parthasarathi Swami Devasthanam for erection of school building, hostel and provision of playgrounds.

In the above matter, on the recommendation of the Director of Public Instruction, Madras, the Government were pleased to direct acquisition of the site mentioned above menasuring 54 grounds or thereabouts for the purpose of érection of school house, hostel and playgrounds for our school and the appropriate notification under the Land Acquisition Act was published in the Fort St. George Gazette September 17, 1946 G.O. No.252 dated 10th Sept. 1946. Pursuant to the said notification steps were taken by the Collector of Madras, for the preliminary valuation of the property. In the mean time on representations made ~~kg~~ to the Government as to the desirability of securing the land on lease, the Government of Madras by its memorandum dated 54334 /46 B1 3 Edn. dated 19th March 1947 a copy of which is herewith enclosed for your kind perusal passed an order directing the President H.R.E. Board to suggest to the Trustees the Lease of the plot instead of acquisition proceedings. The President, H.R.E. Board after hearing the parties passed the enclosed order No.1674 dated 6-6-47 a copy of which is herewith enclosed for your perusal. The Director of Public Instruction was pleased to provide in the Budget for 1947-48 a sum of Rs.17,250 towards the acquisition of land for construction of school building and hostel and Rs.13,800 for the provision of playground vide R.C.No.374 D2/47 dated 26-4-47.

The Board of Trustees have now written to us asking us to submit a draft lease deed for their

100

approval and they expect us to commence the lease from the 1st July 1947. On the site in question being taken from 1st July 1947 we shall have to pay rent amount to Rs.300 or thereabouts per mensem whether we put up buildings or not. This will be in addition to the rents of two schools buildings now in our occupation. It may take about 3 or 4 months before the trees and the dilapidated superstructure in the said site are removed and the ground made fit for atleast the playground. We are making arrangements for submitting our Building's plan to the Department for sanction and grant for the erection of a compound wall and small building for office purposes and sheds for locating our classes at least from June 1948. Our anxiety is to secure for us the sum of Rs.31,000 now provided in the Budget for 194 towards acquisition of the site, transferred to Building account. Having regard to these developments in this matter and the heavy commitments by way of rent from July 1947 we would like to interview the D.P.I. on this matter to get his advice before we take any further step. We shall therefore be obliged if the D.P.I. is pleased to give us an interview at his very earliest convenience.

Thanking you,

Yours faithfully,

Sd. N.K.Thirumalachari,

Encs. 3. Correspondent.

(True copy)

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10 ⑥⑨

23rd June 1947.

The Board of Trustees,
Sri Parthasarathi Swami Devasthanam,
Triplicane.

Sirs,

We are in receipt of your letter dated 18th June 1947 inviting us to send a draft Lease Deed on the basis of the Board's communication No. 1674 dated 6th June 1947 sanctioning 99 years lease in our favour. You are aware that on the recommendation of the Director of Public Instruction the Government were pleased to initiate Land Acquisition proceedings to acquire the said site. In view of the present order of the Government sanctioning the lease it becomes necessary for us to bring this matter to the notice of the Director of Public Instruction to take the next step in the matter. We have therefore written to the Director of Public Instruction immediately on receipt of your letter and we await the call from him as to the next step we have got to take.

In the meantime we are also preparing the draft Lease Deed which will be sent to you at a very early date for your approval. We have to point out that there are two superstructures on the site which are under the occupation of tenants under you and we shall feel obliged if you will take immediate steps to evict them from the same and render the entire site including the super structures available for delivery and possession to us on the date when we execute the Lease Deed in your favour. You will agree that the Lease will commence from the date of the execution by us of the Lease Deed in your favour and your delivery of possession to us of the entire site free from all encumbrances and vacant possession of the same.

Yours faithfully,
Sd. N.K. Thirumalachari.
Founder-Secretary.

(True copy)

Sri Parthasarathy Swami Devasthanam, Triplicane.

Dated 25th June 1947.

Rao Sahib V.M.Lakshminarasimhacharya
C.R. Jagannatham Pillai
Rao Bahadur V.Ranganatham Chettiar
DHARMAKARTHAS.

To Sri Rao Sahib N.K. Thirumalachar,
The National High School (Girls), Triplicane.

Sir,

Ref: Your letter 23rd instant

We ~~not~~ are not concerned with the Director of Public Instruction as to the next step you wish to take. The Board's order No.1694 dated 6-6-47 is imperative that the entire plot should be leased out to you immediately for the purpose of constructing the schoolbuilding, Hostel and playground. It is for you to take proper steps to evict persons from the site and secure the possession. After all the plots in question cover a very little area of the entire plot. You cannot expect the temple to loose the rent for the entire plot on account of this small portion which could be taken possession in the usual course.

We believe that the School authorities are not going to raise buildings on every inch of space in the garden. The tenants that are now in possession were informed about the lease granted by the Hindu Religious Endowments Board in your favour and it is hoped they are making speedy arrangements to leave the site.

Yours faithfully,
Sd. V.M.Lakshminarasimhachari
,, C.R.Jagannatham Pillai
,, V. Ranganatham Chetty.

(True copy)

28th June 47

The Trustees,
Sri Parthasarathi Swami Devasthanam,
Triplicane.

Sirs,

Sub: In the matter of the lease of 870/2 Ice House Road for 99 years, in favour of the us.

Ref: Your letter dated 25th June 1947.

I am in receipt of your letter dated 25th June 1947 and in reply I have to state that I have referred the matter to the President, Hindu Religious Endowment Board for necessary orders.

In the meantime I am herewith sending you the Draft Lease Deed for favour of your perusal and suggestions if any.

Yours faithfully,

Founder-Secretary
& Correspondent.

Encs: Draft Lease
Deed.

109 131

C.F. 80.

EDUCATION DEPARTMENT.

72

Received ....19 . Registered ....19 .

Subject.

ACQUISITION - National High School (Girls) Triplicane - Acquisition of land for construction of building and provision of a playground.

M/11

Reference.

G.O.No.Ms.1748, Education & Public Health, dated 10-9-46. 1

G.O.No.Ms.1855, Education & Public Health, dated 27-9-46, &

G.O.No.794, Education, dated 18-4-47. 2

23996

Enclosures.
No. ....
....
Spare copies ....

R.C. No.704 D2/46.

Station ...., Dated the 28-6-47. 19

From (Name) Sri D.S.Reddi M.A.(Oxon), M.B.E.

(Designation) Director of Public Instruction, Madras,

To The Secretary to the Government of Madras,

Education & Public Health Department.

Sir,

1405

I have the honour to submit herewith a copy of letter dated 20-6-47 from the Correspondent, National High School (Girls) Triplicane, together with copies of Govt.Memo.No. 54344/46 B.1.3 Education, dated 19-3-47 and the Board's order No.1674 dated 6-6-47 for favour of orders. In the G.Os referred to above necessary provision for the payment of grant in 1947-48 towards acquisition has been made. The Govt.Memo.dated 19-3-47 and the Board's order referred to above have not been received in this office.

1405-to b info

R. Narasimhan

TRB.30/6

for Director of Public Instruction.

30/6

.T.O.

105

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73

Copy of letter dated 20-6-47 from the Correspondent, National High School (Girls), Triplicane.

"Sub: Acquisition of 54 grounds in R.S.No.870/2 Ice House Road, Triplicane, belonging to Sri Parthasarathi Swami Devasthanam for erection of school building, hostel andprovision of playgrounds.

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In the above matter, on the recommendation of the Director of Public Instruction, Madras, the Government were pleased to direct acquisition of the site mentioned above measuring 54 grounds or thereabouts for the purpose of erection of school house, hostel and playgrounds for our school and the appropriate notification under the Land Acquisition Act was published in the Fort St.George Gazette September 17,1946 G.O.No.252, 10th Sept.1946. Pursuant to the said notification steps were taken by the Collector of Madras for the preliminary valuation of the property. In the mean time on representations made to the Government as to the desirability of securing the land on lease, the Government of Madras by its Memorandum dated 54334/46 B1-3 Edn. dated 19-3-47 a copy of which is herewith enclosed for your kind perusal passed an order directing the President H.R.E. Board to suggest to the Trustees the Lease of the plot instead of acquisition proceedings. The President, H.R.E. Board after hearing the parties passed the enclosed order No.1674 dated 6-6-47 a copy of which is herewith enclosed for your perusal. The Director of Public Instruction was pleased to provide in the Budget for 1947-48 a sum of Rs.17250 towards the acquisition of land for construction of school building and hostel and Rs.13800 for the provision of playgrounds vide R.C.374 D2/47 dated 26-4-47.

The Board of Trustees have now written to us asking us to submit a draft lease deed for their approval and they expect us to commence the lease from the 1st July 1947. On the site in question being taken from the 1st July 1947 we shall have to pay rent amounting to Rs.300 or thereabouts per mensem whether we put up buildings or not. This will be in addition to the rents of two schoolx buildings now in our occupation. It may take about 3 or 4 months before the trees and the dilapidated superstructure in the said site are removed and the groundmade fit for at least the playground. We are making arrangements for submitting our Building's plan to the Department for sanction and grant for the erection of a compound wall and small building for office purposes and sheds for locating our classes at least from June 1948. Our anxiety is to secure for us the sum of Rs.31,000 now provided in the Budget for 1947-48 towards acquisition of the site, transferred to Building Account. Having regard to these developments in this matter and the heavy commitments by way of rent from July 1947 we would like to interview the D.P.I. on this matter to get his advice before we take any further step. We shall therefore be obliged if the D.P.I. is pleased to give us an interview at his very earliest convenience."

GOVERNMENT OF MADRAS

EDUCATION & PUBLIC HEALTH DEPARTMENT.

Memorandum No.54344/46 B1 3 Edn.dated 19-3-47.

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Sub: Land acquisition - The National High School for Girls Triplicane - Acquisition of site R.S.No.870/2 Ice House Road, belonging to Sri Parthasarathiswami Devasthanam.

Ref: Petition from Rao Sahib V.M.Lakshminarasimhachariar and R.C.Rangatham Pillai, Trustees dated 14-9-46 and 14-12-46.

From the President, The National Education Society, Mylapore dated 16-12-46.

P.T.O.

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The Government consider that it would be in the best interests of Sri Parthasarathiswami Devasthanam, Triplicane, and of the management of the National High School for Girls, Triplicane, if the entire site R.S.No.870/2 in Ice House Road, Triplicane, belonging to the Devasthanam is given on long term lease of 99 years to the National Education ~~of~~ Society, Triplicane, for use as a site for construction of a school building and a hostel for the provision of a playground for the school, subject to sufficient safeguards for the payment of rent regularly. The rent may be fixed on the basis of interest at 3% per annum on the market value of the site. If the Collector of Madras had already fixed the market value in connection with the acquisition proceedings, the rent may be calculated on that value otherwise the market value may be determined in consultation with the Collector.

The President, Hindu Religious Endowments Board is requested to see that the suggestions for lease are put through immediately that the Trustees agree to the grant of the lease.

The Collector of Madras is requested to keep in abeyance the land acquisition proceedings pending the disposal of the matter by the Hindu Religious Endowments Board."

From the Secretary of the Board of Commissioner for Hindu Religious Endowments Board, dated ....

In the matter of Sri Parthasarathiswami Temple, Triplicane, Madras.

In the matter of the lease of site R.S.No.870-2 in Ice House Road, Madras belonging to the Devasthanam for 99 years to the National Education Society Triplicane, Madras.

Board's Order No.1674 dated 6-6-47.

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1. The entire site may be leased out to the National Education Society, Triplicane for 99 years for the construction of a School building, a hostel and a playground for the school.

2. The rent is fixed at 3 per cent per annum on the market value of the site. The value of the site is fixed at Rs.2000 per ground omitting the allowance plus the value of the superstructure etc, which is fixed at Rs.6750/-.

CONDITIONS OF THE LEASE.

(a) Payment of rent should be made twice a year, on the 5th of January and 5th of July.

(b) Failure to remit three instalments will automatically cance the lease and entitle the devasthanam to enter upon the premises wit out any liabilities to pay for the buildings etc. constructed. The Devasthanam will have also the right to sell the superstructure etc. in open auction and after adjusting its dues, pay the balance if any to the Society.

(c) The site or any part thereof should not be used for any purpose other than the school.

(d) No portion of the site or construction made therein should be subleased. Any infringement of this clause and the clause (c) will have the effect of cancelling the original lease.

(e) Nothing should be done to the site which would depreciate its value.

The lease deed has to be got registered at the cost of the lessee."

sd. True copy. R. Narayan

for Director of Public Instruction

(94/10)

79

Revenue DEPARTMENT

REMINDER. L.R.(?) Branch.

To The Secretary to Govt: (E & R.H. Dept)

54612

I am directed to invite attention to the Bd's Ref. No. 643/47-2 dated 25-3-47 and to request that the reply to it may be expedited at an early date

~~request that this reminder may be returned at once with information as to—~~

~~(1) the stage at which the matter now is;~~

~~(2) the date by which a reply may be expected; and~~

~~(3) the circumstances which have delayed the reply.~~

Office Rev Bd

Station Chepauk

Dated 28-6-47

Signature

Asst. Secretary.

Designation

SUBJECT. 18/6

L.A. (Madras) Madras city – Mylapore R.S. No. 870/4 for construction of school buildings, hostel & play ground for the National High School (Girls) Triplicane – Draft declaration Submitted

108

REPLY.

To The

E48W(B)

This reminder may be added to the main file.

~~108~~ 109 (75)

E48W(B)

Schools - Secondary - The National High School (Girls) Triplicane - Lease of site belonging to Sri Parthasarathi Swami - Devasthanam - for construction of buildings and provision of play grounds

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From the Correspondent, The National High School (Girls), Triplicane - dated 20-6-47

From the DPI Rc. No 904 D2/46 d 28-6-47

From the ~~Founder & Secretary~~ & Correspondent The National Edl Society Madras d 28-6-47

Memo. 24847/47-B1-3 Edn. dated 30-7-47

The Secretary & correspondent, The National High School (Girls), Triplicane, is informed that the land acquisition proceedings in respect of the site R.S. No 870/2 Dee House Road Triplicane belonging to Sri Parthasarathi Swami Devasthanam, Triplicane, will be held in abeyance till the lease deed is executed in favour of the Devasthanam and the land is taken possession of and that Govt see no necessity to instruct the President H R E Board to direct the trustees to give vacant possession of the site.

2. The request of the management that the provision made in the current year's budget for payment of grant towards the cost of acquisition of the site may be earmarked for the building scheme cannot be complied with. The latter proposal should ~~will have to~~ be treated as a new scheme.

USR
28.7.47

29.7.47

Desp R 2/8/47

To
(1) The Founder Secy & Correspondent The National High School (Girls) Triplicane. Madras
(2) .. DPI
(3) .. Board of Rev (Para 1 only)
20 (4) The President H.R.E Bd Para 1 only

The National High School (Girls), Triplicane.
UNDER THE MANAGEMENT OF
THE NATIONAL EDUCATION SOCIETY (REGD.) MADRAS.

N. K. Thirumalachari, B.A., B.L.,
FOUNDER SECRETARY & CORRESPONDENT.

82/83. T. P. KOIL ST., TRIPLICANE.

Dated 19th November 1947

The Secretary
To The Government Of Madras,
Education and Public Health,
Fort St. George, Madras.

M2 9 2449

SST. SECRETARY TO GOVERNMENT
24 NOV 1947
EDUCATION AND PUBLIC HEALTH DEPT.

Sir,

Sub: Land Acquisition--The National High School (Girls) Triplicane -- Lease of R.S.No.870/2 Ice House Road, Triplicane, belonging to Sri Parthasarathi Swami Devasthanam.

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p 82 ante

Ref:-- Memorandum No.54344/46 ~~dx~~ Bl. ~~x~~ 3Edn. dated 19--3--47--Education & Pub. Health.

Pursuant to Memorandum quoted above, the President The Hindu Religious Endowment Board, has been pleased to pass an order No.1674 dated 6--6--1947 directing the Trustees of the Parthasarathi Swami Devasthanam to lease out the site to us for 99 years for the construction of our school building, hostel and play-ground etc. All the preliminaries have been gone through and finally now the draft lease deed has also been approved by him by his letter dated No.64427/46--22 Adm. dated 31--10--47 and immediately the tress-passers have been evicted and possession rendered available which is expected about the 1st of December 1947 the lease deed will be put through and we will be entering on the property.

I am herewith extracting only three clauses of the lease deed for your particular attention.

(contd.)

112

77

The National High School (Girls), Triplicane.

UNDER THE MANAGEMENT OF
THE NATIONAL EDUCATION SOCIETY (REGD.) MADRAS.

82/83, T. P. KOIL ST., TRIPLICANE.

N. K. Thirumalachari, B.A., B.L.,
FOUNDER SECRETARY & CORRESPONDENT.

Dated 194 77

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" 2. The rent for the site leased shall be Rs.3,532--8--0 per annum which shall be a charge on the superstructure raised on the leasehold property subject and subordinate always and only to the first charge in favour of the Government in respect of the grants paid for the construction of the buildings from time to time."

"6. The Lessee Society declare that the buildings they intend to put upon the site will be subject to the rules and regulations of the Government in respect of school buildings constructed out of Government Grant."

"13. The Lessors covenant with the Lessee Society that the Government shall have a first charge for all monies paid by them from time to time to the Lessees as grant towards the construction of the buildings on the site."

X On the execution of the Lease Deed and on our entering into possession of the property we shall communicate the same to you with a view to enable the withdrawal of the acquisition proceedings and the refund of the deposit made by us of Rs.31,000/-.

Yours faithfully,

NK Thirumalachari
Founder-Secretary & Correspondent.

A The receipt of the further report promised at X above may be awaited till 8-1.48

[illegible]

[illegible]

1.12.47

3/

~~Education and Public~~

~~Endorsement~~

~~Communicated to the~~

~~D.P.I.~~

~~#~~
~~22/11/47.~~

~~81~~ 78 113

79

The National High School (Girls Triplicane.

UNDER THE MANAGEMENT OF
THE NATIONAL EDUCATION SOCIETY (REGD.) MADRAS.

N. K. Thirumalachari, B.A., B.L.,
FOUNDER SECRETARY & CORRESPONDENT.

82/8T. P. KOIL ST., TRIPLICANE,

Date 2nd Dec. 1947

ASST. SECRETARY TO GOVERNMENT
8 - DEC 1947
EDUCATION AND PUBLIC HEALTH DEPT.

P. 114 infra

95272
MK

Sir,

Herewith enclosed a copy of the letter addressed to the Collector of Madras for your information and file.

Yours faithfully,
N.K. Thirumalachari
Founder-Secretary.

Enc.1.

To
The Secretary to Government,
Education dept. Fort St. George, Madras.

E.&P.H. (B1).

May lie over till 5-1-'48 as already ordered at A on page 112 ante.

#
5/12/47.

The National High School (Girls), Triplicane.
UNDER THE MANAGEMENT OF
THE NATIONAL EDUCATION SOCIETY (REGD.) MADRAS.

N. K. Thirumalachari, B.A., B.L.,
FOUNDER SECRETARY & CORRESPONDENT.

82/83, T. P. KOIL ST., TRIPLICANE.
Dated 2nd December 1947

The Collector of Madras,
Madras.

Sir,

Sub: Land Acquisition--The National High School (Girls) Triplicane --Site for construction of school buildings and hostel and for play-ground--Notification under section (1) published.

Ref:- Gazette notification--Fort St. George Gazette dated 17th Sept. 1946 Part I B. No.252 Sept. 10, 1946.

2. R.C.No.1283/47 C.1. of the Collector of Madras dated 16th Sept. 1947.

With reference to the above I have the honour to inform you that in pursuance of the order of the Hindu Religious Endowment Board No.2751 dated 19th August 1947 the Lease Deed between the Trustees of Sri Parthasarathi Swami Devasthanam and The National Education Society (regd) has been executed and registered yesterday, the 1st Dec. 1947 and possession of the major of the property has been taken.

In consequence thereof the Land Acquisition proceedings become now unnecessary. I therefore request that you will be pleased to drop the Land Acquisition proceedings and direct the refund of deposit of Rs.31,000/-

(Contd)

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deposited at the time of the commencement of the above proceedings.

Thanking you,

Yours faithfully,

Founder-Secretary & Correspondent,
The National High School (Girls)
Triplicane.

Copy to
1. The Tahsildar, South Range, Madras.
2. The Personal Asst. to the Collector of Madras
3. The Director of Public Instruction, Madras.
4. The Secretary to Government Edn. Fort St. George, Madras
5. The Inspectress of Girls' Schools, IV Circle, Madras.

116

80

From
D. Padmanabhan Esq., I.C.S.,
Collector of Madras,
Madras.

To
The Secretary to Government,
Education & Public Health Departmen
Madras.

Sir, Rc No.1283/47/A7 dated 3rd December, 1947.

ASST. SECRETARY TO GOVT.

LAND ACQUISITION (Madras) - Madras City - Mylapore - R.S.No. 870/4 for construction of school buildings, hostel and playground for the National High School (Girls) - Triplicane - Withdrawal notification Submitted

Sent to Bd. of Rev. in D/C.

Ref:-Government Endorsement No. 70489/47B1 Education and Public Health dated 6-9-47 to the Board of Revenue.

95772

The Founder Secretary of the National High School (Girls), Triplicane has written to me that the lease deed between the trustees of Sri Parthasarathy temple and the National Education Society representing the school, has been executed and registered on 1-12-47 and that in consequence, the land acquisition proceedings become, now, unnecessary. I, therefore, submit for approval and

P.T.O.

117

-2-

pp. 3-4 supra

publication in the Fort St. George Gazette, draft withdrawal notification in duplicate. There is no need to pay compensation under Section 48(2) as none has suffered any damage.

4/12

4/12. for COLLECTOR OF MADRAS.

Copy submitted to the Board of Revenue, L.R, Excise and Prohibition with reference to Board's No. L.Dis. I. 643/47 dated 22-9-1947.

Encl: Two.

CRB/4-12-1947.

EDUCATION AND PUBLIC HEALTH DEPT.
1947

~~3~~ 118 ~~80~~ 81

WITHDRAWAL NOTIFICATION.

61

Under Section 48(1) of Act I 1894 as amended by Act XXXVIII of 1923, His Excellency the Governor of Madras hereby withdraws from the acquisition of land specified in the schedule hereunder and notified under Section 4(1) of Act I of 1894, as notification No. 252, at page 410 of Part IB of the Fort St. George Gazette dated 17-9-1946 as required for the construction of the National High School for Girls, Triplicane, hostel and playground.

SCHEDULE.

Madras District - Madras South Taluk.
Mylapore Village.

Government Dry R.S. No. 870/2 part belonging to Sri Parthasarathyswami Devasthanam Triplicane, represented by the trustees for the time being Rao Saheb V.N. Lakshmi Narasimhachari, C.R. Jagannatha Pillai.

LESSEE:- Chokkalinga Gramani.

OCCUPANTS AND TENANTS

Building No. 1. (1) Manikka Chettiyar and Parthasarathy Chettiar.

Building No. 2.
(1) Sivaprakasa Mudaliar,
(2) Bekthavathsalu Nayudu.
(3) Chinnammal.
(4) Doraiswami Naicker.
(5) Radhakrishna Mudaliar.
(6) Ponnuswami Mudaliar.
(7) Venkatarama Naidu.
(8) Panchakshara Pandithar.

Building No. 3. Mohammed Ishap.

Hut Owners
(1) Ponniammal
(2) Gundu.
(3) Munuswami Naidu.
(4) Kista Pillai.
(5) Thanikachala Naicker.
(6) Sundaram.

	C.	Gds.	Sq. Ft.
Area to be taken up.	2	7	1625.

Whether waste or arable: Tope Land.

4/12

CRB/4-12-1947. 4/12. for COLLECTOR OF MADRAS.

WITHDRAWAL NOTIFICATION.

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	C.	Gds.	Sq. Ft.
Area to be taken up.	2	7	1625.

Whether waste or arable: Tope Land.

4/12

CRB/4-12-1947.

for COLLECTOR OF MADRAS.

107
18/12

(83) 121

Et.Ms(387)

C. No. 24847/47.

17/12/47

Land Acquisition - Madras city - Mylapore R.S. no 870/4 - site for construction of buildings and for play ground for the National High school for girls Triplicane - withdrawal notification - Published

p 83 cf. From the Board of Revenue Ref no 1643/47-2 d 26.3.47

p 113 cf. From the Founder Secy, The National High School Girls, Triplicane d 2.12.47

p 116 cf From the Collector of Madras Rc no 1283/47 A7 d 3.12.47

Fresh precedent [illegible]

(2)/7

3.1.48

Order no 2711 Edn. d/18.12.47
MS

The following notification will be published in the Fort St George Gazette:-

Notification

(Here enter the notification on p118 cf.) attached

16/12/47

17/12/47.

To
The Collector of Madras. ✓
.. Board of Revenue. ✓
.. S. G. P for publication in the F. S. G. G. ✓
Copy to the Secy. National High School for girls. Triplicane. ✓

KSK
8/12/47

B AS II 123

No D 412
5-4-50

84

SRI PARTHASARATHY SWAMI TEMPLE,
TRIPLICANE.

Rao Bahadur
V.Ranganadham Chetty
V.Veeraraghavachariar, B.A.,B.L.,
C.R.Jagannadham Pillai,
Trustees.

Madras,
Dated 3rd April 1950.

5A

6 APL 1950
Education Department
6211

Edn
Examine
KM
574

To

Hon'ble the Minister in charge of Education,
Fort St., George,
Madras.

Sir,

Sub: Lease of Mettukulam garden R.S.No.870/2 in favour of the National Educational Society.

Sri Parthasarathy Swami Temple, Triplicane is the owner of the piece of land called the Mettukulam garden in Dr. Besants Road, Triplicane.

G.O.1348 Edn
10-9-46
p11 of Ⓤ

G.O.2711 Edn
18-12-47
p121 of Ⓥ

p 82 of Ⓥ

2. This plot of land with an admeasurement of 2 cawnies 7 grounds and 1625 square feet was proposed to be acquired by the Government - Vide Notification published in the Fort St. George Gazette dated 10-9-1946. Subsequently the acquisition proceedings were dropped. The Government in their Memo. No. 54334/46-B-1-3 Edn. dated 19-3-1947 have expressed as their opinion that it would be in the best interest of the Devasthanam as well as the Girls High School if the entire site in R.S.870/2 Ice House Road, Triplicane is given on a long term lease for 99 years to the National Educational Society and fixed the rent at 3% per annum on the market value of the site, directing the President, Hindu Religious Endowments Board to fix the market value.

3. In obedience to these directions from the Government the whole plot of land with the trees and buildings that existed then was valued at Rs.1,18,104-2-8 and 3% on the said sum amounts to Rs.3543-2-0 payable in two instalments as ground rent on the said property. The lease deed embodying these terms was executed on 1-12-1947.

4. After the execution of the lease deed the Tahsildar of Madras was requested to sub divide as per the gazette notification and the plan prepared by them dated 20-11-1947.

5. The Tahsildar then marked that there were encroachments by the tenants on the western side of the land covering an extent of 1 ground and 902 sq.ft. as per his plan dated 5-8-1948 covered by 9 persons.

6. At the time when the lease deed was executed encroachments were not noted and subsequently the School authorities insisted that vacant possession free from all obstruction should be given to them and wanted the encroachements ~~xxxx~~ should be removed although they have taken possession of the entire plot as per the lease deed.

7. The President of the Hindu Religious Endowments Board on the complaint made by the School authorities directed that the temple should take steps to evict the tenants from the encroachments. Accordingly 9 criminal complaints were filed by the temple against the tenants before the Presidency Magistrate, Egmore.

8. Five of the tresspassers have agreed before the Presidency Magistrate to vacate the land tresspassed and give vacant possession. This was intimated to the National Educational Society. The Educational Society without taking any steps to secure the possession have put up a barbed wire fencing leaving those places and allowing the tenants to encroach more.

9. When negotiations were going on one of the tenants who did not encroach the land at the time when the Tahsildar came to sub divide the land on 5-8-1948 has put up a pucca building without any reference to the temple or the National Educational Society.

10. When the temple is attempting to take necessary steps to evict him, the National Educational society has

---

put up a permanent wall leaving away the encroached portions and thereby reducing the lease amount considerably low.

11. The small strips of land that is left behind the wall and the residential quarters could not be let out to anyone in as much as it was included in the land leased out to the National Educational Society.

12. Apart from this when the Government suggested to charge 3% interest on the total value of the land the Trustees have agreed to do so, as they never expected that they would be deprived of the sum of ₨.812/- as corporation taxes on the amount paid annually by the National Educational Society as ground rent.

13. The Trustees offerred to sell away the land to the Society and receive the amount in one or two instalments if the society found it was not possible for them to pay the whole amount at one stretch.

14. If as per the gazette notification the Government have acquired the land and if the amount ~~xx~~ realised was invested in G.P.Notes the temple would not be subjected to the loss of ₨.812/- per annum out of the sum of ₨.3543-2-0, as income tax is exempted from Government Securities. At this rate the temple will be a loser to the extent of ₨.80,388/- after 99 years and the rate of interest will work at 2¼ % only and not 3% as suggested by the Government, in the interest of the temple.

15. Considering the heavy loss that the temple will be put to and the trouble that is caused by the National Educational Society in not paying the full amount as agreed to, we humbly

suggest to direct the National Educational Society to bear the Corporation taxes of Rs.812/- that is being collected by the Revenue Officer every year or to execute a sale deed in favour of the temple for the entire sum of Rs.1,18, 104 - 2- 8, the value of the land as assessed by the President of the Hindu Religious Endowments Board; In which case the Government should remit their grant to the Devasthanam and ask the National Educational Society to execute a mortgage deed in favour of the temple for the balance of the amount. We of course agree to receive interest at 3% for the amount due to us and receive payment of the balance amount in 3 or 4 instalments at an interval of 2 years.

16. As regards the extent of land the National Educational Society should be asked to pay the full rent on the assessed amount and take steps to evict persons from the land encroached. If that proposal is not agreed to they should be asked to surrender 16 grounds of land including the encroached lands with an opening on the side of Dr.Beasant's Road so that the said land may be leased out to private individuals as house sites, and rectification of the lease deed made to that effect.

17. Contrary to the terms of the agreement The National Educational Society have been remitting the half yearly interest (lease amounts)in driblets as detailed below:

1947 December 1st	...	Rs. 1181- 0- 8
1948 April 12th.	...	Rs. 1771- 9- 0
1948 December 22nd.	...	Rs. 1371- 9- 0
1949 March 14th.	...	Rs. 200- 0- 0
1949 April 14th	...	Rs. 1696- 9- 0
1949 October 12th	...	Rs. 1696- 9- 0

Yours faithfully,

Ranganadham Chetty

T. Veeraraghavachari

C. R. Jag[illegible] Pillai

127

74 D

Edn. (B).

Endt. No 6211 B/50-1 Edn d/ 21.4.50.

Referred to the Director of Public Instruction for remarks. He is requested offer his specific recommendations in the matter in consultation with the ~~President, Hindu Religious Endowments Board~~, management of the National High school for [illegible], Triplicane.

21-4-50

DIRECTOR OF PUBLIC INSTRUCTION
C. 209 [illegible]/50
25 APR 1950
MADRAS

(By order)

V. Ramaswami

Assistant Secretary to Govt.

14/4/50.

15/4/50

To

The Director of Public Instruction.

87 129

87

Edn (B)

Land - Lease - National High School (Girls) Triplicane - Certain Sites belonging to the Parthasarathy Swamy Temple Devasthanam.

—

Memo No 6211 B/50-2 Edn d/24-8-50.

—

38
24/8

24/8/50
Sent in orgl

The D.P.I. is requested to expedite his reply to Govt. Endt. No. 6211 B/50-1 Edn d/21-4-50 on the above subject.

23/8/50.

23/8/50

24.8.50

To
The D.P.I.

25/8

131

(88)

R.C.NO.209-D.6/50

ASSISTANT SECRETARY
22 SEP 1950
29005
EDUCATION DEPARTMENT

Office of the
Director of Public Instruction,
Madras, Dated 12-9-1950.

From

The Director of Public Instruction,
Madras.

To

The Secretary to Government,
Education Department,
Madras.

Sir,

Subject: Land - Lease - National High School for girls, Triplicane - Corporation Tax to be borne by the management - Representation.

---

pp 1-4 ante

p5 ante — In resubmitting the papers received with the Endt. No.6211-B/50-1 Edn. dated 21-4-1950, I submit the following remarks together with copies of letter dated 9-6-1950 from the Correspondent, The National High School (Girls), Triplicane, Madras and letter No.61596-50-3 Adn. dated 8-8-1950 from the Secretary, Hindu Religious Endowment Board.

pp 8-10 infra

Q p10 infra

para 16 on p4 ante — 2. The Trustees of Sri Parthasarathy Swami Temple, Triplicane want the management of the National High School, Triplicane to evict the encroachers on the lease land and to pay the full rent without making proportionate deduction for the encroachment. The Hindu Religious Endowment Board have permitted the management to deduct proportionate rent for the encroached land of 1 ground and 902 square feet. They have instructed the Trustees to take over this land and hand it over to the management. This done, the lessee will have to pay the full rent of Rs.3543-2-0. It is the duty of the lessors to evict the encroachers and put the lessee in possession of the entire land referred to in the leas deed. Hence the request of the Trustees does not deserve consideration. The management of the school will be instructed to deduct rent for the actual area of encroached land and not for 2½ grounds.

vide p10 infra

Z on p10 infra

R

para 15 on pp 3-4 ante — 3. The Trustees of the temple represent that the management of the school may be directed to bear the corporation tax of Rs.812/- on the rent received for the land.

not recd

S — (a) According to conditions 9 and 11 of the lease deed "The Lessee Society shall pay all taxes ..... levied on the superstructure" and the Lessors (Trustees) have to pay the quit rent or any other tax levied for the land only". The School authorities contend that they "can on no account legally or otherwise be called upon to pay this tax which was expressly agreed to be borne by the temple". This contention is correct.

X on p10 infra — (b) The Hindu Religious Endowment Board are not in favour of the sale of the land as they have stated that "the lease deed should be allowed to stand". Further the sale of the land will involve a grant of Rs.35,000/- from Government. The present lease arran ment has been brought into force in preference to the compulsory acquisition of the property at a heavy cost and in the interests of both the school and the temple.

p 82 c/f of (V)
vide Memo no
54344/46-B, 3 Edn
19-3-47

pp 3-4 ante
p3 ante
p82 of (V)

4. Though the request made in para 15 of the petition is not admissible according to the terms of the agreement, yet I submit that the Trustees' argument in para 14 of their letter to Government deserves consideration. The Trustees accept the advice of Government to lease the land for a rent equal to 3% interest, on the market value thereof. In fixing the rent due regard should be paid not only to a fair return on the market value but also to the expenditure on local taxes. In this case the net return of 2¼% on the market value cannot be considered

considered fair. It is likely that in suggesting the rate of 3% interest, the increased expenditure of Rs.812/- a year on corporation taxes was not foreseen by Government. In that case, it would be fair to persuade the management to bear the land tax and agree to the necessary rectification of the agreement, so that the interests of the temple may not suffer by the fault of the trustees who in agreeing to 3% interest, failed to reckon with the increased corporation tax. If Government wish that the tax should be properly borne by the management of the school, notwithstanding the condition to the contrary in the lease deed, the management might agree to do so. As the expenditure on this account can be approved for purposes of grant, it will not cause undue hardship to the management.

Yours faithfully,

I. O. Pautanahie

for DIRECTOR OF PUBLIC INSTRUCTION.

RVR 18/9/- ~~89~~

Copy of letter dated 9th June 1950 from the Correspondent, The National High School (Girls) Triplicane, Madras to the Inspectress of Girls' School, III circle, Madras.

Ref: Your ROC.No.1-4-C/50 dated 5th May 1950.

...

1 With reference to the petition of the Trustees, Sri Parthasarati Swami Devasthanam, Triplicane, to the Hon'ble Minister for Education forwarded to us for our remarks, we beg to offer the following remarks. H. 1-4 ante

2 The first point touched in the petition is with reference to the encroachment and area covered by the lease deed, but possession of a part not given to us at the time when we entered upon the lease. With reference to this matter, after considerable correspondence with the Trustees and the President, Hindu Religious Endowments Board, the matter was finally concluded by the order of the President, H.R.E.Board Memorandum No.169427/48-2 Adm dated 28-12-1949 which reads as follows.

"THE TRUSTEES OF THE ABOVE TEMPLE ARE INFORMED THAT THE DEVASTHANAM HAS TO GIVE POSSESSION OF THE LAND REFERRED TO ABOVE TO THE SCHOOL AUTHORITIES FREE OF ALL ENCROACHMENTS AND IF THIS CANNOT BE DONE THEN NECESSARY DEDUCTIONS SHOULD BE MADE IN THE RENT FIXED FOR THE PORTION NOT GIVEN POSESSION. K

Sd.............
for Secretary"

3 It is on the basis of this order that the rent is being paid half yearly on the due dates in full as per the above orders. In every letter of ours we have stated to the Trustees that as and when we get the entire posession of the land we would definitely pay the rent stipulated in the lease deed WITHOUT ANY DEDUCTION. With a view to prevent the residents of the western side from freely entering into our school compound we had necessarily to put barbed wires in the first instance. We waited for nearly 18 months from the 1st December 1947 for the trustees to take steps to evict the trespassers and encroachers and as the trustees were either not willing or able to take any effective action to eject the trespassers and give us possession and feeling complete disappointment and as we were to commence our Middle School

construction to get rid of the shift system, we had to put up a part of our Middle school sheds on the western side to the extent that was possible for us to occupy WITHOUT BREACH OF PEACE from the encroachers and neighbours. We have definitely stated to the trustees that it was open to them after the complete area was permanently enclosed to find out the actual extent in our posession and receive from us a proportionate rent. Taking into consideration that this is a girls' high school the school cannot afford to have bad and troublesome neighbours, perpetual annoyance and nuisance, and unending and expensive litigation.

4 As regards the second point touched in the petition viz. the Corporation tax on the income from the land, we cannot really understand how and under what circumstances the temple can claim from us the Corporation tax on the INCOME FROM THE LAND. It is an integral part of the lease deed that while we should pay the tax on the superstructure (which we are doing) the Trustees should pay the tax on the land. In the very first draft of the lease deed which the trustees tendered to us this position was made clear. The entire clauses of the lease deed were put up before the President of the H.R.E.Board and in his presence the draft was finally approved and the lease deed duly executed. It is not open to the Trustees to go behind the terms of the lease deed either legally or otherwise It is improper on the part of the trustees to unnecessarily embarass the Hon'ble Minister for Education in such matters. Besides there is nothing unfair or unjust in the temple paying tax upon the income they receive. Prior to the lease of the land to us they were paying tax on the income they received by way of rent from the previous tenants - on an annual income of Rs.800/- the tax was levied.

5 They are getting from us now Rs.3,543-2-0 compared to the very meagre sum of Rs.800/- only which they had received previously on this, and even this sum of Rs.800/- they could not receive now after the introduction of prohibition. The Corporation is perfect ly justified in assessing tax upon the rental income from the land. An person or body receiving income has necessarily to pay appropriate tax levied either by Government or by the local authority, There is nothi extraordinary about this. The school authorities can on no account be legally or otherwise be called upon to pay this tax-which was expressly agreed to be borne by the temple, and which by law the Trustees are bound to pay.

6 The third point is the proposal by the Trustees to give an out and out sale of the property to us. We have absolutely no objection to our receiving the sale of the property provided the Government would be pleased to bear the half the purchase price and allow us to pay the other half in convenient annual instalments covering a period of 5 to 10 years and the value of the land being fixed at Rs.2,000 per ground on the actual extent available for ready possession. p4ante

7 There is a suggestion made in paragraph 16 which is very extraordinary in character. Neither on the basis of law nor on the basis of the orders passed by the President, H.R.E. Board will it be the obligation of the school authorities to embark upon legal proceedings to take steps to evict persons from the land on which they have encroached. It is clearly the duty of the vendors to evict the encroachers if it is to be sale and of the lessor if it is a leas

8 With reference to the alternative suggestion that we should surrender 16 grounds of land, we do not understand where the extra 16 grounds are situated in the portion given to us. We wonder whether the Trustees' intentions are that we should demolish a main part of the existing building constructed out of Government grants ar public philanthropy and surrender 16 grounds to them. If this be t case we do not consider that this can be considered to be sane.

p4ante

The payments that have been referred to in para 17

10

were made exactly on the extent of the portions that we have been able to get vacant possession and in pursuance of the terms of the orders of the President, H.R.E.Board viz. Memorandum No.169427/48-2 Adm dated 28-12-1948. If it is pointed out to us that we are in possession of more land than what we state as being with us we are ready and willing to pay for such difference. We invite a correct measurement by a validly constituted authority.

Copy of letter No.61596/50-3 Adm. dated 8-8-50 of the Secretary, Hindu Religious Endowments Board, Madras to the Inspectress of Girls Schools, III circle, Madras.

X I am to inform you that the lease deed executed by the National Educational Society, Madras for the benefit of the National Girls' High School, Triplicane should be allowed to stand, and that the leasee (the National Educational Society, Madras) may be permitted to deduct rent for the encroached land of I ground and 902 square feet only (and not for 2½ grounds) that existed at the time of the lease deed. Z The trustees of the temple are instructed separately that they should take actual possession of the said encroached land and hand it over to the leasee who from the date of taking physical possession of one ground and 902 sq.ft should pay the ful rent of Rs.3543-2-0 as already agreed upon. The leasee should take necessary steps to remove all the encroachments made subsequent to the date of the execution of the lease deed. The lessee should pay the balance of rent out of deductions already arbitrarrily made by them.

I request that necessary instructions as suggested by the Board may be issued to the lessee (society) school in the matter and that the action taken may kindly be intimated for the information of the Board.

(TRUE COPIES)

21/8

for Director of Public Instruction.

135

(90) Edn. (B)

(99)

Letter No 6211 B/50-4 Edn d/ 6-11-50.
Ref

—

To

The Trustees of the Sri Parthasarathy Swami Temple,
Triplicane, Madras.

Dis 10/11/50

Sirs,

Sub:- Land - Lease - National High School (Girls) Triplicane - Certain Sites belonging to the Sri Parthasarathy Swami Temple Devasthanam - Payment of corporation tax and annual rent.

9 7/11

Ref:- Your letter No. D.412. d/5-4-50

pp 1-4 of

—

I am directed to state ~~that as the Hindu~~

X on p10 of

~~Religious Endowments Board is of the opinion that the lease deed executed by the management of the National High School (Girls) Triplicane, should be allowed to stand and~~

para 3(b) on p 7 of and p3 of

that the Govt. are not in favour of the sale of the land to the management ~~and~~ that the lease deed should stand.

para 1b on p4 of

vide Z on p10 of

2. In regard to the deduction made by the management in the annual rent, I am to invite your attention to the instructions already issued by the Hindu Religious Endowments Board that you should take actual possession of the land that was encroached even at the time of the execution of the lease deed measuring 1 ground and 902 square feet in area and hand it over to the lessee who should pay the full rent from the date of taking physical possession of the entire area. In the meantime, the D.P.I will issue instructions to the management to deduct rent in respect of the area that was encroached at the time of the drawing of the lease deed and not for the 2½ grounds

R on p 7 of

3. I am to add that although the payment of the Corporation tax on the land by the management of the National High School (Girls) Triplicane ~~is~~ may be justified, it will not be possible for Govt to enforce a direction

p4 of

[P.T.O

2.

136

the management to ~~the~~ bear the tax as the lease deed does not provide for it.

p4nf

Yours faithfully.

4.11.50.

3/11/50.
3/11/50

Copy to the D.O.S.
2 s/es.

10/11/50

Edn. & P.H. Department (B1). (91)

Cro. 54344 B1/46.

LAND ACQUISITION - The National High School for Girls, Triplicane - R.S.No.870/2 - Site for construction of school buildings and hostel and for playground.

From the Trustees of the Parthasarathyswamy Devasthanam, dated the 14th September 1946.

MEMO NO. B1/46- Education, dated 1946.

The trustees of the Sri Parthasarathyswamy Devasthanam are informed that the Government decline to ~~interfere~~ comply with their request that ~~[illegible]~~ the instructions given to the President, Hindu Religious Endowments Board to stop the ~~auction of~~ sale of the site ~~[illegible]~~ proposed to be acquired for the National High School for Girls, Triplicane may be cancelled and that ~~and to stay~~ the land acquisition proceedings may be deferred. It is open to the Trustees ~~can~~ to make their representations in the matter ~~before~~ to the Land Acquisition Officer.

To
The Trustees,
Parthasarathyswamy
Devasthanam,
Triplicane,
Through ~~the~~ Mr.K.E. Rajagopalachari,
No.2/72, Thulasinga Perumal Koil St.,
Triplicane, Madras.
Copy to the Collector of Madras

18/9/46.
18.9.46
19/9/46
19.9.46

pp13-14 (M)

(M) 11-12

N o t e: Please see the letter from the Trustees of the Parthasarathyswamy Devasthanam on pp1-9 c.f. They request that the directions given to the President, Hindu Religious Endowments Board by Government in Memo No. 51034-B1/46-1 Edn dt 5.9.46 may be ~~may be~~ cancelled and that the Land Acquisition proceedings ~~may be~~ ~~[illegible] G.O.Ms.No.1749 Edn. dated 16-9-1946 may be~~ stopped so as to enable them to sell the land (R.S.No. 870/2) in question in public auction. It does not seem necessary for the Government to interfere in the matter at this stage. The Trustees may be informed that they may make their representations to the Land Acquisition Officer whenever they are obliged to make. The draft Memo above is for approval.

2. Legal may see with reference to 'A' on p.8cf.

18/9/46
18/9/46
19/9/46
19.9.46

I think the order to stay the sale was unwise. The L.A. acqn Cllr. can ignore the price fetched in the auction in fixing the market value. Whoever buys, therefore, buys at his own risk of losing a considerable amount, though the Devasthanam may benefit. I am afraid I did not consider ~~the~~ the implications ~~when~~ I signed the draft on 5.9.46

SRK
19.9.46

S

The D.S. need not feel doubtful about the wisdom of our action, which had my approval also at the time. To allow it to be sold in auction when L.A. proceedings are pending will be not merely to create complications, but to cause inconvenience to the auction purchaser, and probably make it difficult for us to take possession. The Collr. will naturally fix the fair market value as on the day of the 4(1) notification, whereas if the land is sold in auction for a speculative price, it will make the question of valuation of the Collr. difficult. Our orders are perfectly sound and we may continue to stick to them.

19.9.46

ASSISTANT SEC
21 SEP
LEGAL DEPT.

Legal

92

Legal Department

There is nothing in the Land Acquisition Act prohibiting an owner of land in respect of which proceedings for acquisition have been started from selling it either by private sale or by public auction if he is lucky enough to find a purchaser. It may be that a transaction of this kind may cause some inconvenience to the Land Acquisition Officer but that is inevitable so long as the right to deal with the property is not taken away. Such a sale does not directly affect the determination of the market value under the Land Acquisition Act as the crucial date is the date of the notification under section 4 (1), though it may be relied upon as some evidence of the market value. Under the circumstances, the instructions issued to the President, Hindu Religious Endowments Board to stop the sale amounts to an invasion of the right of the owner in this case and is difficult to justify. The Government may withdraw the instructions and leave it to the party to apply to the Board to get its order cancelled.

M/13-14

Legal no. 7464-1
2.10.46.

2/10/46

8 OCT 1946
2827

E(34)(B1)

At the request of the Correspondent, The National High School (Girls), Triplicane, Madras, the President H.R.E. Board was requested in Memo no 51034-B1/46-1 Edn dated 5.9.46 to instruct the trustees of Sri Parthasarathiswami Koil Devasthanam Triplicane not to take steps for the disposal of the property - RS no 870/2 - Ice House Road Triplicane by public auction as it is proposed to acquire it for the construction of a school building & hostel and for provision of a playground & instructions were

M 13-14 of
of (M)

issued accordingly. The trustees of the Devasthanam have now urged that the memo is ultra vires - (Vide A. on p 8 cf) They request that the direction to the President HRE Bd may be cancelled

2. Attention is solicited to the notes on pp 1-3 ante. The object in issuing the memo was to avoid complications in acquiring the land under the Land Acquisition Act Section 4 (1) notification has been published and it is very doubtful whether anybody will purchase the land in open auction at an abnormal price. In view of the opinion expressed by the Legal Dept it is for consideration whether the memo should be cancelled

The file may be circulated to HM (Law) & HM (Edn) for orders.

8/10/46

BRM 9/10/46 S

I am afraid the order has to be cancelled as it has no legal backing.

14/10/46

HM (Law)
HM (Edn)

It may be that the owner of a property under compulsory acquisition is entitled to sell his property pending the acquisition proceedings. But in the present case, the owner is the Triplicane Temple, which is under the Government Department thro' the H.R.E.Board. Evidently, the trustees of the temple have proposed public auction only to embarass and complicate acquisition proceedings. Such a thing cannot be allowed in a public institution under Government control. While the order of cancellation by the Edn. & P.H. Department may not be legal, the H.R.E. Board may issue such a direction without any difficulty. At any rate the Govt. think, the E & P.H. Department may direct the H.R.E.Board not to complicate matters by allowing a sale by public auction.

21-10-46.

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(93)

H.M. H.R.E may also see
TSA
21-10-46

The file may be circulated to H.M (H.R.E)

BRM
21/10/46 S

21/10/46
HM (HRE)

The National Education Society Triplicane Madras
had applied to the Trustees of Sri Parthasarathy Swami
Temple, Triplicane for purchasing a land belonging
to the temple, a portion of R.S. No 870/2 but as they
declined to sell it, Land acquisition proceedings had to
be instituted as the land in question was for a
public purpose viz the construction of buildings for
locating a growing High School for girls. Meanwhile
The matter was brought to my notice and I tried to
see the matter settled without the necessity for acquisition
proceedings. I suggested to the trustees that a long lease
may be given to the National Education Society in the
interest of both the temple as well as the Education Society but
pp 75-77) of the majority of the trustees (2 out of 3) are not for a lease
but for an outright sale that preferably in a public
auction. Therefore the land acquisition proceedings
were not stopped. I think that a long lease instead
of an outright sale is desirable in this case. The
temple can still continue to be the owner of the property
and will be receiving income regularly in the
shape of rent. Even if an outright sale is effected
the amount has to be invested in safe securities
with a view to get annual income for meeting the
annual expenditure of the temple. The School alon

14/3/47

will be benefitted as the school need not invest large amounts initially for the purchase of the property & may utilize that amount for putting up buildings etc.

The President Hindu Religious Endowment Board may therefore see that the trustees of the Sri Parthasarathy Devasthanam Triplicane grant a lease for 99 years to the National Education Society, Triplicane with sufficient safeguards for the payment of rents due regularly. The rent may be fixed on the basis of 3% per annum on the market value of the land, the whole plot R S No 870/2. If the Collector had already decided the market value in the land acquisition proceedings, that amount should be taken as the market value, otherwise the President, in consultation with the Collector of Madras, may determine the market value.

M

ICKR
18/3/47.

SECRETARIAT, EDN. AND P.H. DEPT.
14 MAR 1947
GOVERNMENT OF MADRAS

E&PH(A)

Please see the D.O. from the O.S.G. on p 55 cf.

2. The file may be circulated to HM (Edn) & HE ~~for~~ with reference to the minutes of HM (HRE) above. ~~It is presumed that~~ The memo to the Pst HRE Bd on pp 13-14 of g(M) need not be cancelled in view of the minutes of HM (Law) on page 4 ante.

WSK
14.3.47

14.3.47

S
14/3/47

HM (Edn)

HE

II A

GOVERNOR'S SECRETARIAT
F.624 C/47
15 MAR 1947

I agree to 'A'. Let the negotiation for lease may be put through immediately.

14/3/47

EDN. AND P.H. DEPT.
19 MAR 1947
GOVERNMENT OF MADRAS

(94)

with reference to the orders in circulation on the previous page, a draft memo is submitted below for approval.

WSK
18/3/47

18.3.47

S
19/3/47.

E&PH(B)

[Memo No 54344/46-M. 3 Edn dated 19.3.47]

From the Board of Revenue no 1.643/47 [illegible] d 26.3.4[illegible]

[illegible]

Please see the letter from the Secretary & correspondent of the National High School (Girls) Triplicane on pp 93-95 cf & the letter from the DPI on page 104 cf.

2. The requests made by the Secy & Correspondent of the National High School (Girls) Triplicane are:-

(1) That Govt may instruct the President HRE Board to direct the trustees of Sri Parthasarathi Swami Devasthanam to give vacant possession of their property evicting on their own responsibility & cost the tenants & trespassers on the site

(2) That Govt may stay the withdrawal of the Land Acquisition proceedings until the land is taken possession of & the legal lease deed is executed in favour of the temple and

(3) That the grant of Rs 31,000 provided in the current year's budget towards the cost of acquisition of the site may be earmarked towards the cost of construction of buildings thereon.

Request: The Secretary & Correspondent of the National High School Triplicane has already addressed the President HRE Board in the matter & he will ise necessary directions to the trustees. The Govt need not issue any instructions to the President HRE Bd in the matter.

A

This is matter which the management and the Trustees should come to mutual

5-7-47

2. Request 2. This may be complied with. The Collector of Madras has not yet been asked to submit the withdrawal notification. Para 3 of the memo on p 8 ante has been [illegible]

B

5-7-47

3. Request 3. This is inadmissible. The grant provided for is only in respect of the acquisition of the site. As the site has now been secured on long lease, the grant is not required for the purpose. It should be surrendered in due course before the close of the year. The plans & estimates for the construction of buildings on the site should first be approved by the DPI and if he recommends the application for grant the question of making a grant for the building scheme will have to be considered as a Part II scheme for 1948-9 and the scheme must take its chance along with others. The Secretary & Correspondent of the National High School, Triplicane, may therefore be informed that the grant provided for in the current year's budget towards the cost of acquisition of land cannot be earmarked for the building scheme and that the question of providing funds for payment of grant for that scheme will be duly considered after the scheme is approved.

C

5.7.47

Finance may see with reference to request no 3 above before the case is circulated to H.M. (Edn). for orders.

4-7-47

5.7.47

S

14/7/47

Fin (Exp A1

E+64 v.o. 24847

12-7-47

Notes from p. 7 above may be perused. Finance may agree with the remarks of the E & P. H. Dept in para 3 of their notes above.

4.823

14.7.47

16.7.47

16.7.47

17.7.47

Fin v.o. 4873 EA

17.7.47

p..

9

95

Edn (A2)

Notes from page 7 ante may be read. Finance have agreed to the proposal of this Dept at C on page 8 ante.

The file may now be circulated to HM (Edn) for orders on the points at A. B & C on page 8 ante.

22/7/47

28/7/47

S

24/7/47

HM (Edn)

28/7

TSA

25.7.47

SECRETARIAT, EDN. AND P. H. DEPT.
28 JUL 1947
GOVERNMENT OF MADRAS

A draft memo is submitted below for approval

28/7/47

29.7.47

[Memo No 24847/47 - A1 - 3 Edn d/ 30-7-47]

pp 109-110 cf

From the Founder Secy, The National High School for girls Triplicane d/ 2.12.47

p 113 cf

From the Collector of Madras Rc no 1283/47/A.7 d/ 3.12.47

p 116 cf

The Founder Secretary of the National High School for girls, Triplicane, Madras has reported that the lease deed for the use of the site - R.S. No 875/4 - Mylapore has been executed with the trustees of Sri Parthasarathy temple, Triplicane and the land acquisition proceedings are unnecessary now.

The withdrawal notification sub'd by the Collector of Madras may be published.

A draft order is submitted below for approval. ~~Revenue may see before issue~~

8/12/47

6.12.47

7.12

S

7/12/47

Edn. (B)

Land - Lease - National High School (Girls) Triplicane - Certain Sites belonging to the Sri Parthasarathy Swami Temple Devasthanam - Payment of Corporation tax.

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pp 1-4 cf — From the Trustees of the Sri Parthasarathy Swami Temple Devasthanam d/5-4-50

pp 7-8 cf — From the D.P.I. Rc. No. 209 B6/50 d/12-9-50

At the instance of the management of the National
G.O. No. 1748 Edn. 10-9-46 Ⓥ/p11 — High School (Girls) Triplicane, the Govt. ordered the publication
of the notification under section 4(1) of the Land Acquisition Act
for the acquisition of certain sites in Triplicane belonging to the
Sri Parthasarathy Swami Temple Devasthanam. As it was
represented by the management that attempts were being made to
Memo 51034 B1/46-1 Edn. 5-9-46 Ⓥ/pp 13-14 — dispose of the lands in question by public auction and as such a
step might complicate the acquisition proceedings, instructions
were issued to the H.R.E. Board to dissuade the Trustees from
Ⓥ/pp 13-14 — resorting to such a course. Subsequently on a representation made
pp 3-6 of Ⓥ — by the Trustees of the Devasthanam, the question was reconsidered
it was decided that in the interests of the two institutions (the School
and the Devasthanam) the best course would be for the Devasthanam
to let the land on long lease to the school. Accordingly the proposals
Memo No. 54344/46 B1-3 19-3-47 Ⓥ p82 cf — for the acquisition of the land were dropped and the H.R.E. Bd
was requested to see that the land was leased for a period of
G.O. 2711 Edn. 18-12-47 Ⓥ p121 cf — 99 years at an annual rent of 3% on the market value of the
land. The land has since been leased to the management of
para 3 on p1 cf — the school who have already constructed buildings required for the
school.

2. The Trustees of the Devasthanam have now represented
pp 1-4 cf. paras 16 and 17 on p4 cf. — that the management of the National High School (Girls) Triplicane is
not paying the full rent on the ground that all the encroachers have
not been evicted. They have requested that instructions may be
vide para 10 on pp 1-2 cf — issued to the management to cooperate and assist in evicting the
encroachers and that no deduction need be made in the annual
rent in respect of the unevicted encroachments. They have further
para 15 on pp 3-4 cf — stated that a tax of Rs 812/- has been levied by the Corporation
of Madras on the annual rent and that if it were borne by the

12

2.

Devasthanam, the net annual income from the property would windle down to 2 1/4 % of the market value instead of the 3 % uggested by the Govt. The Trustees therefore request that the school authorities may be directed to bear the tax failing which they might be asked to purchase the land outright.

para 14 on p 3 of

para 15 on pp 3-4 of

3. The management of the National High School (Girls) Triplicane has ~~contested~~ refuted the claims of the Trustees by stating hat it has not infringed any of the terms of the deed according which the Devasthanam (the lessors) should have evicted the ncroachers before handing over the lands to the lessee (the chool). They further point out that ~~the~~ under the provisions of he deed, the school is responsible for the taxes on the superstructures hile it is the lessors should bear any taxation on the land itself ~~[illegible]~~. As regards the alternative proposal of the Trustees, he management states that it is prepared to purchase the land utright provided the Govt. sanctions a grant for this purpose.

para 2 of their letter on p 8 of

K on p 8 of

paras 4-5 on p 9 of

para 6 on p 9 of

4. The D.P.I. as well as the H.R.E. Board have upheld the ntention of the School authorities that it is the responsibility of Devasthanam to evict the encroachers and hand over entire area to the lessee when it will be eligible for the aximum rent of Rs 3,543-2-0. ~~[illegible]~~ The H.R.E. Bd has ggested that the management may be allowed to deduct t for the encroached land of 1 ground and 902 square t. The Director has accepted the suggestion and has ated that ~~[illegible]~~ instructions will be issued to the nagement to deduct rent for the actual area of encroachment. e instructions have been issued to the Trustees to take steps ake actual possession of the encroached land and hand it to the management. In view of this ~~the~~ no action seems ssary on the first request of the Trustees.

✓ para 1 on p 7 of
+ Z on p 10 of

X on p 10 of

R on p 7 of

Z on p 10 of

para 16 on p 4 of

5. As regards the payment of the tax, though the stand n by the management is legally sound, the D.P.I. states t there is considerable weight in the request of the Trustees Devasthanam can not be said to be getting a fair n if the income out of this property dwindles down to % of the market value. He therefore suggests that the nagement may be persuaded to bear the tax, particularly expenditure can be taken into account for purposes of

para 4 on pp 7-8 of

p 8 of

97

13

assessment of grant payable to the school. As the annual rent of 3 percent was suggested by the Govt and as the lease itself was concluded at the instance of Govt. it may not be out of place if the management is requested to reconsider its decision and bear the Corporation tax even though under the provisions of the deed it should be legally borne by the Devasthanam. The question of outright sale does not deserve any consideration as the interests of both the institutions are adequately served by ~~[illegible]~~ the existing arrangement and as such a step will involve the payment of a grant not exceeding Rs 35,000/- from the ~~pr~~ State funds to the management. In the circumstances, the D.P.I. may be requested to instruct the management to bear the tax as otherwise the Devasthanam will be affected considerably.

M on p 6 of (V)
and p 82 of (V)

para 3(a) on p 7 of

para 3(b) on p 7 of

6. Rural Welfare ~~Department~~ and Legal Depts may see for remarks, if any, prior to circulation.

27/9/50.
27.9.50

28.9.50

S.

RW
Legal

299

R W
Legal

Rural Welfare D.

As the deed already entered into does not provide for the payment of the tax on the land by the school, it will be difficult to enforce any instructions on this point. Legal may advise on this point.
28.9.50

O/S

ASSISTANT SECRETARY
15893
5 OCT 1950
No.
LEGAL DEPARTMENT
29.9.50

This dept. may agree with the views expressed in para 5 above and pass on the file to Legal.

30.9.50

3.10.50

4.10.50
Secy.

Legal

Legal

R.D.O. 45610 /50
4-10-50

ASST. SECRETARY TO GOVERNMENT
30 SEP 1950
RURAL WELFARE DEPARTMENT

Legal Department.

A copy of the lease deed is not in the file. If, as stated by the lessee, conditions 9&11 of the lease deed provide that the lessee will be liable to pay taxes only on the superstructure it will not be possible to enforce a direction to the lessee to pay the taxes on the land also.

26/10/50

Edn. (B).

Legal No. 15893

The file deals with the representation from the ustees of the Sri Parthasarathi Swami Temple Devasthanam, riplicane, against the non payment of the full rent for the and taken on lease by the management of the National igh School (Girls) Triplicane. The trustees have also ~~also~~ requested hat a direction may be issued to the management of the School to bear the Corporation Tax on the land even though nder the provisions of the lease deed, the management ~~will~~ ave to bear ~~any~~ taxation on the superstructures alone, ~~otherwise~~ The notes from page 1 ante may be perused.

pp 1-4 of

ASSISTANT SECRETARY
21 OCT 1950
33371
EDUCATION DEPARTMENT

para 15 on pp 3-4 of

SECRETARY
1 NOV 1950
EDUCATION DEPARTMENT

2. As instructions have been issued to the trustees take steps to take actual possession of the encroached land nd hand it over to the management before claiming full ent no action is necessary on the first request of the ustees. As regards the payment of the tax on the land, the .P.I. has stated that the request of the Trustees, that the nanagement may be asked to bear it, is justified as otherwise Devasthanam would ~~[illegible]~~ suffer considerably. However as nder the provisions of the lease deed the management of the school is responsible only for the taxes on the superstructure Legal Dept. have remarked that it will not be possible to nforce a direction to the lessee to pay the taxes on the land lso. In view of this it is for consideration whether the Trustees of the Devasthanam may be informed that it will not be possible to enforce the management to bear the tax on the land also as the deed does not provide for it.

Z on p10 of

para 4 on pp 7-8 of

The file may be circulated to H.M. (E&L) and H.M.(H) for orders.

vide pp 3-4 above

We may sa also that the payment of Co poration tax on land, by the management is justified & lea it to the Trus to take up the matter wi the management

30/10/50

29/10/50

30/10/50.

3/11

HM (E&L)

HM (E&L)

Please see the orders in circulation ~~on p4~~ ante. A draft letter to the Trustees of the Sri Parthasarathy Swami Devasthanam is submitted below for approval. After issue the papers may be filed with G.O No 2711 Edn d/ 18-12-47

1/11/50

3/11/50

3.11.50

~~2.11.50~~

4.11.50

evised draft is submitted
or please