

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2015

CORAM:

THE HONOURABLE MR. JUSTICE SATISH K. AGNIHOTRI
AND
THE HONOURABLE MR. JUSTICE M. VENUGOPAL

W.P. No.13453 of 2015

L.N. Ramasamy

Petitioner

Vs.

1 The Commissioner
Corporation of Chennai
Ripon Buildings
Chennai 600 003

2 The Executive Engineer
Corporation of Chennai
Zone VIII
No.183, Periyar Salai
Kilpauk, Chennai 600 010

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to forthwith remove the lock and seal imposed by them in the building in Flat No.13-C, I Floor, Block No.13, New Door No.AH-15, Shanthi Colony, IV Anna Nagar, Chennai 600 040.

For petitioner Mrs. AL. Ganthimathi
For respondents Ms. Karthikaa Ashok
Standing Counsel

सत्यमेव जयते
ORDER

(Order of the Court was made by SATISH K. AGNIHOTRI, J.)

Ms. Karthikaa Ashok, learned Standing Counsel, accepts notice for the respondents. With the consent of the learned counsel for the parties, the writ petition is taken up for final disposal, at the admission stage itself.

2 This writ petition is filed seeking a writ of mandamus directing the respondents to forthwith remove the lock and seal imposed by them in the building in Flat No.13-C, I Floor, Block No.13, New Door No.AH-15, Shanthi Colony, IV Anna Nagar, Chennai 600 040.

3 Pursuant to the locking and sealing of the premises in question belonging to the petitioner, the petitioner has made a representation to Corporation of Chennai on 06.04.2015, stating therein that the Chennai Corporation has removed the additional unauthorised construction which was put up in the building in question and is retaining the authorised portion under lock and seal; since the offending construction has already been removed by Chennai Corporation and there being no violation in the remaining construction put up by the Tamil Nadu Housing Board, which is occupied by the petitioner, the continuance of lock and seal in respect of authorised portion is unwarranted and the petitioner will not put up any additional construction in the property in question and he will only use the property as it was constructed by the Tamil Nadu Housing Board.

4 The learned Standing Counsel appearing for the respondents-Chennai Corporation submits that the petitioner may be permitted to remove the additional unauthorised construction after de-sealing the premises. Thereafter, on inspection, if it is found that all the deviations have been removed and unauthorised construction has been demolished, appropriate orders will be passed, at the earliest.

5 In view of the above submission made by the learned Standing Counsel appearing for the respondents, nothing survives for adjudication in this writ petition, at this stage.

6 The writ petition stands disposed of accordingly. Costs made easy. Connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar
Sub Assistant Registrar

//True Copy//

cad
To

- 1 The Commissioner
Corporation of Chennai
Ripon Buildings
Chennai 600 003
 - 2 The Executive Engineer
Corporation of Chennai
Zone VIII No.183, Periyar Salai
Kilpauk, Chennai 600 010
- + 1 cc to Mrs. A.L.Ganthimathi, Advocate SR.24669
+ 1 cc to Mr.A.Karthika Ashok, Advocate SR.24313

KJI (CO)
EU 19.05.2015

W.P. No.13453 of 2015