

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.09.2015

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE MR. JUSTICE K.K. SASIDHARAN

W.P. No.27033 of 2015 and M.P.No.1 of 2015

S. Prince

Petitioner

Vs.

1 The Government of Tamil Nadu
represented by its Secretary to Government
Housing and Urban Development Department
Secretariat, Chennai 600 009

2 Chennai Metropolitan Development Authority
represented by its Member Secretary
No.1, Gandhi Irwin Road
Egmore, Chennai 600 008

Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the respondents to consider and pass orders on the petitioner's representation dated 19.08.2015 for removal of the lock and seal affixed on 27.10.2010 to the building at Plot No.3362/Z, D.No.8, AF Block, VIII Street, 11th Main Road, Anna Nagar, Chennai 600 040, so as to enable the petitioner to rectify the deviation in the building and bring the same in conformity to the sanctioned plan within a reasonable time.

For petitioner Mr. L. Chandrakumar

For R1 Mr. P.S. Sivashanmugasundaram
Special Government Pleader

For R2 Mr. C. Johnson, Standing Counsel

O R D E R

(delivered by SATISH K. AGNIHOTRI, J.)

With the consent of the parties, the writ petition is taken up for final disposal.

2 This writ petition is filed seeking a writ of mandamus directing the respondents to consider and pass orders on the petitioner's representation dated 19.08.2015 for removal of the lock and seal affixed on 27.10.2010 to the building at Plot No.3362/Z,

D.No.8, AF Block, VIII Street, 11th Main Road, Anna Nagar, Chennai 600 040, so as to enable the petitioner to rectify the deviation in the building and bring the same in conformity with the sanctioned plan within a reasonable time.

3 Today, when the matter is taken up, the learned Standing Counsel for the second respondent fairly submits that the second respondent shall remove the lock and seal affixed in the premises in question, enabling the petitioner to rectify the deviation and to bring the building in conformity with the sanctioned plan.

4 In view of the above fair submission made by the learned counsel for the second respondent, we grant two weeks' time, from today, to the petitioner, to rectify the deviation in the building in question and bring the same in conformity with the sanctioned plan from the date of de-sealing of the property. After rectification of deviation by the petitioner, the second respondent shall cause an inspection and after inspection, if the second respondent opines that the premises in question needs to be sealed, the second respondent is at liberty to do so and to proceed further as per law. The entire exercise, as aforesaid, shall be completed within a period of four weeks.

5 The writ petition stands disposed of with the above observations. No costs. Connected Miscellaneous Petition is closed.

cad

s/d-
Assistant Registrar (CS-II)

True Copy

Sub-Assistant Registrar

To

1 The Secretary to Government
Housing and Urban Development Department
Government of Tamil Nadu
Secretariat, Chennai 600 009

2 The Member Secretary
Chennai Metropolitan Development Authority
No.1, Gandhi Irwin Road
Egmore, Chennai 600 008

+ 1 cc to Mr.L.Chandrakumar, Advocate SR 48895
+ 1 cc to Mr.C.Johnson, Advocate SR 48777
km(co)
prk21/9

W.P. No.27033 of 2015