

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2015

CORAM:

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.P. No.9863 of 2015

M.Thiyagarajan

... Petitioner
MI.

vs.

1. The Commissioner
Corporation of Chennai
Rippon Buildings
Chennai 600 003

2. The Zonal Officer
Madhavaram Zone III
Corporation of Chennai
Madhavaram
Chennai 600 060

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus as stated therein.

For petitioner : Mr. S.P. Sudalaiyandi

For respondents : Mr. G. Anantharangan
Standing Counsel

ORDER

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

With the consent of the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondents, the writ petition is taken up for final disposal, at the admission stage itself.

2 This writ petition is filed seeking a direction to the respondents to remove the locking and sealing of premises bearing Door No.148/33, Pillayar Koil Street, Puzhal Village, comprised in

S.No.447/1A1, thus, enabling the petitioner to demolish the construction so as to comply with the notice dated 29.10.2014 issued by the second respondent.

3 The case of the petitioner before us is that the authorities, pursuant to the order passed by this Court on 30.10.2014 in W.P. No.14332 of 2014, have sealed and locked the alleged unauthorised/unapproved construction on 20.12.2014. Thereafter, the petitioner had made a representation on 17.03.2015 seeking to permit him to remove the alleged unauthorised/unapproved construction, deviation, etc., to ensure that the building is in accordance with the approved plan. Despite his aforestated representation, the premises still continues in the same condition.

4 Mr. G. Anantharangan, learned Standing Counsel for the respondents-Chennai Corporation, under instructions from the officer present in the Court, submits that the said premises shall be unsealed and unlocked for a period of one week, thereby, permitting the petitioner to remove the deviations and unauthorised/unapproved construction. Thereafter, on inspection, if it is found that needful is done, no further action may be required to be taken and if the same is not done, the building may be permitted to be re-sealed and re-locked.

5 The aforesaid submission of the learned Standing Counsel for the Chennai Corporation seems to be reasonable. Accordingly, we direct the respondents to de-seal and unlock the premises in question for a period of one week, thereby, enabling the petitioner to remove the deviations and unauthorised/unapproved construction. However, it is made clear that if the needful is not done by the petitioner, the respondents are at liberty to re-seal and re-lock the premises and further take consequential action, in accordance with law.

6 The writ petition stands disposed of with the above direction and observation. No costs.

Sd/-
सत्यमेव जयते

Assistant Registrar(CO)

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Sub Assistant Registrar

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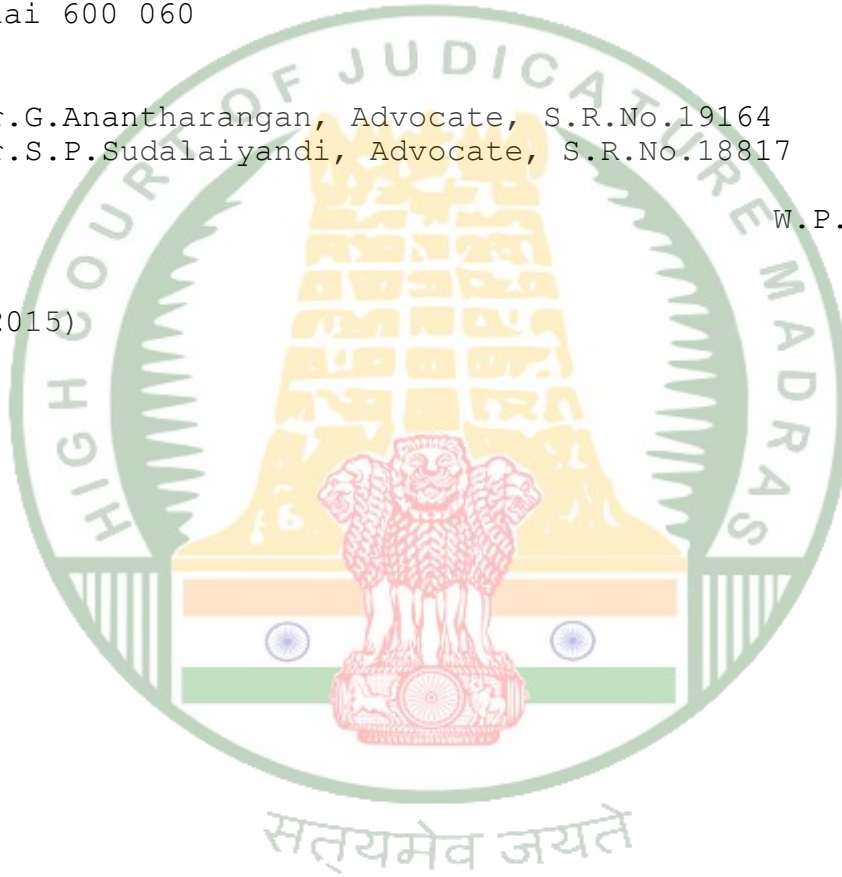
To

1. The Commissioner
Corporation of Chennai
Rippon Buildings
Chennai 600 003
2. The Zonal Officer
Madhavaram Zone III
Corporation of Chennai
Madhavaram
Chennai 600 060

+1cc to Mr.G.Anantharangan, Advocate, S.R.No.19164
+1cc to Mr.S.P.Sudalaiyandi, Advocate, S.R.No.18817

W.P. No.9863 of 2015

EV(CO)
CA(10/04/2015)



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