

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.05.2016

CORAM

The Hon'ble Mr.Justice K.KALYANASUNDARAM
and
The Hon'ble Mr.Justice D.KRISHNAKUMAR

W.P.No.18030 of 2016
and W.M.P.No.15821 of 2016

The Management of Vijaypurai Kammavar
Kalyana Mandapam
Rep by its Vice Chairman Mr.L.Chandrasekar ... Petitioner

Vs

- 1.The Secretary,
Housing and Urban Development Department,
Government of Tamilnadu,
Fort St. George, Chennai-9.
- 2.The Member Secretary,
Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Maligai,
Egmore, Chennai-8.
- 3.The Commissioner,
Corporation of Chennai,
Ripon Building, Chennai-8.
- 4.The Regional Deputy Commissioner [Central]
Town Planning Enforcement Region-Central,
Corporation of Chennai, Pulla Avenue,
Shenoy Nagar, Chennai-30.
- 5.The Superintending Engineer,
TP Enforcement Region-Central,
Corporation of Chennai, Pulla Avenue,
Shenoy Nagar, Chennai-30.
- 6.The Executive Engineer,
TP Enforcement Region-Central,
Corporation of Chennai, Pulla Avenue,
Shenoy Nagar, Chennai-30.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issue of Writ of Mandamus directing the respondents 3 to 6 to de-seal the petitioner's premises bearing Door No.15 and 23, K.S.Nagar, Kolathur, Chennai-99 for a period of six months enabling the petitioner to rectify and to carry out corrective measures so as to bring the building in conformity with the development control rules and regulations and also to comply with the order passed by this Hon'ble Court in W.P.No.96 of 2016 dated 06.01.2016.

For Petitioner : Mr.S.R.Manickavel
For 1st Respondent : Mr.P.Sanjay Gandhi, AGP
For 2nd Respondent : Mr.C.Johnson
Standing Counsel for CMDA
For Respondents 3 to 6: Mr.R.Arunmozhi
Standing Counsel for Corporation

O R D E R

[Order of the Court made by K.KALYANASUNDARAM, J.]

This writ petition is filed seeking for a Writ of Mandamus to direct the respondents 3 to 6 to de-seal the petitioner's premises bearing Door No.15 and 23, K.S.Nagar, Kolathur, Chennai-99 for a period of six months enabling the petitioner to rectify and to carry out corrective measures so as to bring the building in conformity with the development control rules and regulations and also to comply with the order passed by this Hon'ble Court in W.P.No.96 of 2016 dated 06.01.2016.

2. It is seen from the records that while disposing of the earlier writ petition filed by the petitioner in W.P.No.96 of 2016 and the Contempt Petition No.3313 of 2014, the Division Bench of this Court, by order dated 06.01.2016, directed the petitioner to remove the unauthorised construction and to bring the building in question in conformity with the plan approval and development regulations within three months.

4. Heard the learned counsel for the petitioner, learned Additional Government Pleader appearing for the 1st respondent, learned Standing Counsel appearing for the 2nd respondent/CMDA and the learned Standing Counsel appearing for the respondents 3 to 6/Corporation.

3. Mr.S.R.Manickavel, learned counsel for the petitioner submitted that the petitioner has already taken steps to comply with the direction of this Court as referred above and he seeks six months time to remove the unauthorised construction and to bring the building in question in conformity with the development regulations.

5. Learned Standing Counsels appearing for the CMDA and Corporation submitted that a reasonable time may be given to the petitioner to comply with the earlier direction.

6. Considering the above submissions, this Court directs the petitioner to remove the unauthorised construction and to bring the building in question in conformity with the plan approval and the development control rules and regulations within a period of four months from the date of de-sealing the premises by the Corporation. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

vsi/gya

s/d-

Assistant Registrar(CS-VI) /
Vacation Officer

True Copy

Sub-Assistant Registrar

To

- 1.The Secretary,
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Government of Tamilnadu, Fort St. George, Chennai-9.
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Shenoy Nagar, Chennai-30.

+ 1 cc to Mr.R.Arunmozhi, Advocate, SR 28518

+ 1 cc to Mr.C.Johnson, Advocate, SR 28426

+ 1 cc to Mr.R.Manickavel, Advocate SR 28401

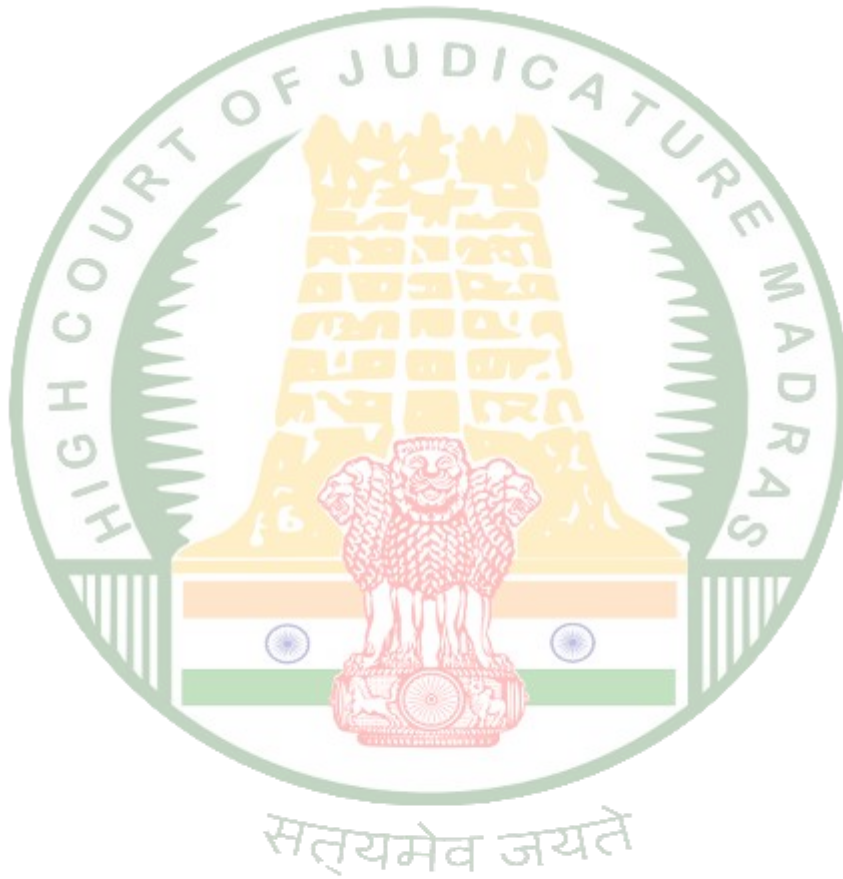
+ 1 cc to Govt.Pleader, High Court, Madras SR 28477

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W.P.No.18030 of 2016

and

W.M.P.No.15821 of 2016



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