

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 9.11.2016

CORAM

The HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.No.39140 of 2016

Bommi Reddy Suresh Reddy .. Petitioner

Vs.

1. The Government of Tamil Nadu
rep. by Secretary to Government
Housing and Urban Development Department
Fort St. George, Secretariat
Chennai - 600 009.
2. The Member Secretary
Chennai Metropolitan Development Authority
No.1, Gandhi Irwin Road, Egmore
Chennai - 600 008.
3. The Commissioner
Greater Corporation of Chennai
Rippon Building, Park Town
Chennai - 600 003.
4. The Executive Engineer
TP (Enforcement-Chennai South)
Regional Deputy Commissioner (South) Office
Enforcement Cell, Adyar
Chennai - 600 020. .. Respondents

PRAYER: Petition under Article 226 of the Constitution of India for issuance of a writ of Mandamus to direct respondents 3 and 4 to forthwith remove the Lock and Seal put up by the fourth respondent herein in the premises of the petitioner situate at Plot No.499, 4th South Main Road, Sri Kapaleeswarar Nagar, Neelankarai, Chennai - 600 115 pursuant to the order of the first respondent vide Letter No.20847/UD-VII(2)/2016-1, dated 14.10.2016.

For Petitioner : Mr.AR.L.Sundaresan
Senior Counsel
for M/s.A.L.Ganthimathi

For Respondents : Mr.R.Vijayakumar
Addl. Government Pleader
for 1st respondent

Mr.N.Sampath
for 2nd respondent

Mr.A.Nagarajan
for 3rd respondent

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

The petitioner has a sanction plan. The petitioner has violated the sanction plan by constructing on the second floor. The petitioner has not applied for regularization or a modified plan. In view of these admissions, really there is no comparison to be done at the site construction with the sanction plan and what is required from the petitioner is to apply for the modified plan.

2. The learned Senior Counsel for the petitioner states that the modified plan will be submitted within ten days to the appropriate authority. The appropriate authority, in turn, will take a decision in respect of the same within three weeks thereafter and on such approval, if made, the property will be de-sealed immediately.

The petition, accordingly, stands disposed of. No costs. Consequently, W.M.P.No.33509 of 2016 is closed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To:

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Chennai - 600 020.

+1cc to Mr.A. Nagarajan, Advocate, S.R.No.64432
+1cc to Mr.al.Ganthimathi, Advocate, S.R.No.64493
+1cc to M/s.N. Sampath, Advocate Sr.No.65024

sai(CO)
md(23/11/2016)

W.P.No.39140 of 2016

सत्यमेव जयते

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