

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.11.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.41011 of 2016

and W.M.P.No.35024 of 2016

D.Subhashini

... Petitioner

-vs-

- 1.The Secretary to Government,
Government of Tamil Nadu,
Housing and Urban Development Dept.,
St. George Fort, Chennai 600 009.
- 2.The Executive Engineer,
Enforcement-Region Central,
Chennai Corporation, 2nd Cross Street,
Pulla Avenue, Shenoy Nagar,
Chennai 600 030.
- 3.The Asst. Executive Engineer,
Enforcement-Region Central,
Chennai Corporation, 2nd Cross Street,
Pulla Avenue, Shenoy Nagar,
Chennai 600 030.
- 4.The Asst. Engineer,
Chennai Corporation, Division-71,
Zone-VI, Perambur, Chennai 600 012.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus to call for the records passed by the 1st respondent, order dated 29.08.2016 vide letter No.14705/UD-VII(1)/2016-1 and quash the same as illegal and consequently direct the respondents not to lock and seal of petitioner's premises bearing Flat No.S1, Old No.59, New No.32, Krishnadas Road, Perambur, Chennai 600 012.

For Petitioner : Mr.C.Shankar
For Respondents : Mr.R.Vijaykumar
Addl. G.P. For R-1
: Mr.R.Arunmozhi for RR 2 to 4

O R D E R

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

Notice. Mr.R.Vijayakumar, learned Additional Government Pleader, accepts notice for the first respondent and Mr.R.Arunmozhi, learned counsel, accepts notice for respondents 2 to 4.

2.We had put a query to the learned counsel for the petitioner as to whether the notice dated 24.04.2015 issued by the Corporation of Chennai for locking and sealing and demolition suffers from any infirmity in so far as the description of deviated / unauthorised construction is concerned in respect of the second floor for which the petitioner claims ownership. Learned counsel states that there is no mistake and the petitioner is willing to rectify the deviations for which four (4) weeks time may be granted.

3.We, thus, accept the request and grant four (4) weeks time to the petitioner to bring the second floor in conformity with the original sanction plan, whereafter the Corporation will re-inspect the second floor and if still the deviations have not been removed, the lock and seal notice shall be enforced without any further impediment.

4.Writ petition, accordingly, stands disposed of. No costs. Consequently, W.M.P.No.35024 of 2016 stands closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

sra

To

- 1.The Secretary to Government,
Government of Tamil Nadu,
Housing and Urban Development Dept.,
St. George Fort, Chennai 600 009.
- 2.The Executive Engineer,
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Chennai Corporation, 2nd Cross Street,
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Chennai 600 030.
- 4.The Asst. Engineer,
Chennai Corporation, Division-71,
Zone-VI, Perambur, Chennai 600 012.

+lcc to Mr.C. Shankar, Advocate, S.R.No.68143
+lcc to Mr.R. Arunmozhi, Advocate, S.R.No.68268
+lcc to the Government Pleader, S.R.No.68309

mv (CO)
md(30/11/2016)

W.P.No.41011 of 2016

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