

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 07.03.2017
CORAM
THE HON'BLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.SUNDAR

W.P.No.5647 of 2017
and W.M.P.No.6031 of 2017

V.T.Ramakrishnan

.. Petitioner

Vs.

- 1 The Regional Deputy Commissioner (North)
Greater Chennai Corporation
61 Basin Bridge Road
Old Washermenpet
Chennai 600 021.
 - 2 The Executive Engineer Zone V
Greater Corporation of Chennai
Royapuram, Chennai.
 - 3 The Assistant Executive Engineer
Division-57 Unit 13 Zone V
Greater Chennai Corporation
Park Town, Chennai 600 001.
- .. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing respondents 2 and 3 herein to remove the lock and seal put up in the building at Old No.190, New No.12, Anna Pillai Street, Sowcarpet, Chennai-1 to enable the petitioner to rectify the deviations and remove unauthorized constructions put up in the building.

For Petitioner : Mr.B.Singaravelu

For Respondents : Mr.V.C.Selvasekaran

ORDER

(Order of the Court was made by the Acting Chief Justice)

Mr.V.C.Selvasekaran, learned counsel takes notice for the respondents.

2. The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus directing respondents 2 and 3 herein to remove the lock and seal put up in the building at Old No.190, New No.12, Anna Pillai Street, Sowcarpet, Chennai-1 to enable the petitioner to rectify the deviations and remove unauthorized constructions put up in the building.

3. It is the case of the petitioner that he obtained the property by way of release deed. A Lock and Seal and demolition notice dated 1.12.2016 was issued as deviations were found. Consequent to the same, the respondent authorities sealed the premises on 25.2.2017. He made a representation to the authorities on 25.2.2017 seeking to remove the lock and seal to enable him to rectify the deviations and to restore the building to the planning permissible area.

4. On hearing learned counsel for the parties, we direct the respondent authorities to consider the representation of the petitioner dated 25.2.2017 and pass appropriate orders in accordance with law within three months from the date of receipt of a copy of this order. We make it clear that even if such de-sealing of the premises is ordered by the respondent authorities, the petitioner shall not occupy the building until the deviations are rectified and the building is restored in conformity with the building plan.

The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To:

- 1 The Regional Deputy Commissioner (North)
Greater Chennai Corporation
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Chennai 600 021.
- 2 The Executive Engineer Zone V
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Royapuram, Chennai.

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+1 cc to the Government Pleader sr 14781
+1 cc to Mr.B.Singaravelu Advocate sr 14539

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