

WMP.No. 984 of 2017
in W.P.No. 38272 of 2015

T.S.SIVAGNANAM, J.
and
R. MAHADEVAN, J.

[Order of the Court was delivered by T.S.Sivagnanam, J.]

Heard Ms.Rita Chandrasekar, learned counsel of M/s. L. Maithili Associates for petitioner and Mr.Ravi Kumar, learned Additional Government Pleader for the respondents.

2. This Miscellaneous Petition has been filed for clarification of the order dated 10.11.2016 passed in W.P.No.38272 of 2015 directing the 7th respondent, Member Secretary, Local Planning Authority, Mamallapuram to lock and seal the premises of the 8th respondent, who had constructed without obtaining planning permission.

3. Learned counsel for the petitioner submitted that in terms of the direction issued the building has been locked and sealed. However, the grievance of the petitioner is that the order should be modified with a direction to demolish the offending construction. It is submitted by petitioner that the order of this Court has been wrongly interpreted by the seventh

respondent, owing to which the eighth respondent is carrying out illegal construction at the “No Development Zone” in violation of CRZ norms. The said action was challenged by the petitioner by filing another Writ Petition and an order of stay has also been obtained.

4. Since the writ petition filed by the petitioner is pending, it would be appropriate for the petitioner to seek further direction in the pending writ petition. From the photograph produced before us, we find that the offending construction is virtually on the shoreline and obviously would be in violation of Coastal Regulation Zone, the question of granting approval may not arise.

5. With the above observations, the Miscellaneous petition is closed.

(T.S.S., J.)

(R.M.D., J.)

26.07.2019

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