

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.NO.6387 OF 2021

AND

W.M.P.NOS.6996 & 6997 OF 2021

1.Nagarajan
2.Manjula

...Petitioners

Vs.

The Member Secretary,
Puducherry Planning Authority,
Jawahar Nagar, Boomianpet,
Puducherry.

...Respondents

Prayer:

Writ petition filed under Article 226 of the Constitution of India for issuance of writ of certiorarified mandamus, calling for the records on the file of the respondent in Letter No.1/PPA/Z(SB-P)/JTP-(MK)/2021/1457 dated 02.03.2021.

For Petitioners : Mr.V.Raghavachari

For Respondent : Mr.D.Ravichandran
Additional Government Pleader,
Puducherry.

O R D E R

The case of the petitioner is that he has converted the existing car shed into a restaurant and let out to the 3rd party to earn income for his livelihood but the respondents have sealed the premises stating that sufficient space has not been provided for parking vehicles and no planning permission has been obtained for converting the car shed.

2. The petitioner claims that he is not making new construction but only altering the construction to suit the requirement for running the business and claiming that for making some internal alterations permission is not required. A

notice was issued on 05.02.2021 by the respondents to the petitioner to stop all work. After issuing notice, by impugned order dated 02.03.2021, the respondents have sealed the premises stating that no sufficient space for parking vehicles.

3. The learned counsel for the petitioner submits that the petitioner is having adjacent land for parking facilities but, without considering the same, the respondents have sealed the premises.

4. This Court, without expressing anything on the merits of the claim made by the petitioners, directing the petitioners to submit an application enclosing details identifying the space for parking vehicles. If any such application is made, the respondents shall consider the same within a period of three weeks from the date of receipt of a copy of this order. Till such time, the respondents shall remove the seal enabling the petitioner to run the shop and the petitioner shall not make any alterations or constructions in the premises.

5. With the above directions, this writ petition is disposed of. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

kkn

To:

The Member Secretary,
Puducherry Planning Authority,
Jawahar Nagar, Boomianpet,
Puducherry.

+lcc to Mr.V.Raghavachari, Advocate, S.R.No.15918
+lcc to the Government Pleader, S.R.No.16128

W.P.No.6387 of 2021
and

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PL(CO)
CS/07/04/2021