

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

and

THE HONOURABLE MR.JUSTICE T.V.THAMILSELVI

W.P.No.10544 of 2021

M.Mariya Savari ... Petitioner

Vs

1.The Commissioner,
Greater Chennai Corporation Rippon Buildings,
Chennai-600 003.

2.The Executive Engineer,
Zone-XIV, Division-185,
Greater Chennai Corporation,
No.6/64, Puzhuthivakkam Main Road,
Perungudi, Chennai-600 091.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to forthwith remove the lock and seal in respect of the petitioner's premises in Survey No.96 & 97, Plot No.43, Kandasamy Nagar, Palavakkam Village, Kanchipuram District, so as to enable the petitioner to rectify and restore the said premises in conformity with the sanctioned plan and with the

Development Rules 2019 on the basis of the representation dated 05.03.2021.

For Petitioner : Mr.L.Chandrakumar
For Respondents : Mr.K.Raja Srinivas

ORDER

(Order of the Court was passed by **N.KIRUBAKARAN, J**)

The petitioner is the owner of the property situated in Survey No.96 & 97, Plot No.43, Kandasamy Nagar, Palavakkam Village, Kanchipuram District, she put up a construction, after getting approval from the Municipality. However, the authorities have inspected the premises and alleged that there were certain deviations and violations in the building, contrary to the approved plan. Therefore the building was locked and sealed on 06.05.2015.

2. Aggrieved by the said order, the petitioner filed W.P.No.5100/2020 and obtained direction on 28.02.2020 to remove the lock and seal to enable the petitioner to rectify the deviations.

3. However, due to prevailing pandemic situation and non-availability of workers the petitioner is not able to rectify the same and seeks six months time to rectify the deviations. Therefore, again the building was sealed on 29.09.2020.

4. In view of that the petitioner has given a representation on 05.03.2021 to the respondents for de-sealing the premises to enable the petitioner to rectify the various deviations within a period of three months. Since no order has been passed, the petitioner has come before this Court.

5. Heard Mr.L.Chandrakumar, learned counsel appearing for the petitioner, and Mr.K.Raja Srinivas, learned counsel appearing for the respondents.

6. The learned counsel for the respondents submitted that the petitioner had already obtained removal of lock and seal order and failed to comply with the order passed by this Court and therefore, he is not entitle to any extention.

7. Taking into consideration, the prevailing pandemic situation and non-availability of workers, this Court is inclined to extend the time till 31.07.2021. Therefore, the 2nd respondent is directed to de-seal the premises, immediately, to enable the petitioner to rectify the deviations.

8. With the above direction, the Writ Petition is disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

(NKKJ)

(TVTSJ)

29.04.2021

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To

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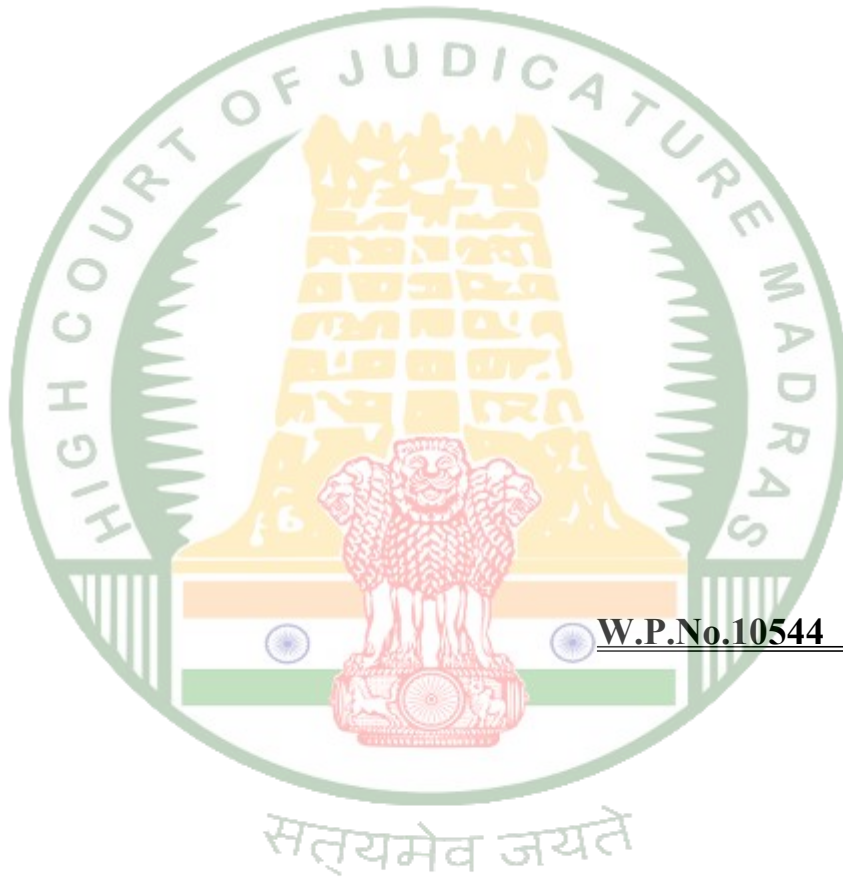
W.P.No.10544 of 2021

N.KIRUBAKARAN, J.

and

T.V.THAMILSELVI, J

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