



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 23.08.2021

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

W.P. No.17547 of 2021

M.Sagubar Saleem

.. Petitioner

Versus

1. The Commissioner,
Greater Chennai Corporation,
Rippon Buildings,
Chennai 600 003.
2. The Zone Officer,
Greater Chennai Corporation,
Zone-V,
No.61, Basin Bridge Road,
Chennai 600 021.
3. The Executive Engineer,
Greater Chennai Corporation,
Zone-V,
No.61, Basin Bridge Road,
Chennai 600 021.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus directing the respondents to forthwith remove the lock and seal affixed on 26.05.2021 in petitioner's property situated at Old No.9, New No.21, Veerabathiran Street, Pudupet, Chennai 600 002 comprised in Old Survey No.22, R.S.No.1325 so as to enable the petitioner to rectify and restore the said premises in conformity with sanctioned plan and in consonance with the present development rules 2019 on the basis of petitioner's representation on 27.05.2021.



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For petitioner : Mr.K.Karthik

For respondents : Mr.K.Raja Srinivas,
Standing Counsel

ORDER

(The Order of the Court was made by K.KALYANASUNDARAM, J)

The Writ Petition is heard through video conferencing.

2. This Writ Petition has been filed by the petitioner seeking a direction to the respondent to remove the lock and seal affixed on 26.05.2021 in petitioner's property situated at Old No.9, New No.21, Veerabathiran Street, Pudupet, Chennai 600 002 comprised in Old Survey No.22, R.S.No.1325 so as to enable the petitioner to rectify and restore the said premises in conformity with sanctioned plan and in consonance with the present development rules 2019 on the basis of petitioner's representation on 27.05.2021.

3. The petitioner would claim that he became the owner of the property bearing Old No.9, New No.21, Veerabathiran Street, Pudupet, Chennai, by virtue of a registered sale deed dated 21.07.1993. He would further state that at the time of purchase, an old building was existing and it got dilapidated. Therefore, he decided to alter the old building. However, due to Covid-19 Pandemic, he did not obtain planning permission and when the alteration work was going on, the impugned notice was issued by the third respondent.

4. The learned counsel appearing for the respondents submitted that the plan is yet to be filed.

5. The learned counsel appearing for the petitioner submitted that the application seeking approval of the plan will be made within a period of three weeks from the date of receipt of a copy of this order. On such application being considered and permission being granted, the premises can be de-sealed.

6. Considering the above, the petitioners are given three weeks from the date of receipt of a copy of this order to make an application for planning permission, if any. Once such an application is accepted and permission is given by approving the plan, the premises in question will have to be de-sealed within



a period of six weeks so as to enable the petitioners to carry out the demolition in tune with the plan to be approved. After the said period, the official respondents shall make an inspection and satisfy that the alteration has been carried out in accordance with the plan to be approved.

7. In view of the above, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-V)

// True Copy //

Sub Assistant Registrar

pvs

To

1. The Commissioner,
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Rippon Buildings,
Chennai 600 003.
2. The Zone Officer,
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Chennai 600 021.

+1CC to M/s.K.Karthik, Advocate, SR.No. 42262
+2CCs to M/s.K.Karthik, Advocate, SR.No. 42417

W.P. No.17547 of 2021

NK(CO)
B.VC (21/09/2021)