



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2021

CORAM:

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

W.P. NO.20248 OF 2021

K.S.Rashitha Banu

...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 03.06.2019 in petitioner's property situated at 50, Langs Garden Road, Pudupet, Chennai 2, comprised in Survey No. 0.No.874, Survey No.1644 part, R. Survey No.1644/9 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 representation on 23.08.2021.



For petitioner : Mr.S.Chandranathan

For respondents : Mr.K.Raja Shrinivas

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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 respondents to forthwith remove the lock and seal affixed on 03.06.2019 in petitioner's property situated at 50, Langs Garden Road, Pudupet, Chennai 2, comprised in Survey O.No.874, Survey No.1644 part, R. Survey No.1644/9 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 representation on 23.08.2021.

3. The petitioner would claim that she became the owner of the property bearing 50, Langs Garden Road, Pudupet, Chennai 2, by virtue of a settlement deed dated 25.07.2018. 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. Mr.K.Raja Shrinivas, learned counsel appearing for the respondents, submitted that the plan is yet to be filed.

5. Mr.S.Chandranathan, 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-VIII)

// True Copy //

Sub Assistant Registrar

pvs

To

- 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,
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- 3.The Executive Engineer,
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Zone-V, No.61, Basin Bridge Road,
Chennai 600 021.

+2ccs to M/s.K.Karthik, Advocate SR.No.48635

+1cc to M/s.K.Rajashrinivas, Advocate SR.No.48703

W.P.No.20248 of 2021

PMK(CO)
RVM(18/10/2021)