



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 15.09.2021

CORAM:

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

W.P. No.19484 of 2021

Sri Pravalavarnar Swamy Devasthanam
Rep. by its Trustee C.Adilakshmi
New No.4, Old No.21, Venkatachala Lane,
Edapalayam, Chennai 600 003.

.. Petitioner

Versus

1. The Commissioner,
Corporation of Greater Chennai,
Ripon Building,
Chennai 600 003.
2. The Executive Engineer,
Zone V, Greater Chennai Corporation,
Basin Bridge Road,
Chennai 600 001.

.. 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 in respect of the premises at New No.4, Old No.21, Venkatachala Lane, Edapalayam, Chennai 600 003, so as to enable the petitioner to rectify and restore the said premises in conformity with the sanctioned plan on the basis of the representation dated 12.08.2021.

For petitioner : Mr.L.Chandrakumar
For respondents : Mr.K.Raja Shrinivas,
Senior Standing Counsel



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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. The petitioner has come forward with this Writ Petition for issuance of a Writ of Mandamus, directing the respondents to forthwith remove the lock and seal in respect of the premises at New No.4, Old No.21, Venkatachala Lane, Edapalayam, Chennai 600 003, so as to enable her to rectify and restore the said premises in conformity with the sanctioned plan on the basis of the representation dated 12.08.2021.

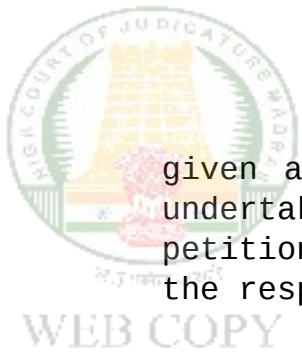
3. The petitioner would state that the property situated at New No.4, Old No.21, Venkatachala Lane, Edapalayam, Chennai belongs to the petitioner Devasthanam. The petitioner after obtaining planning permission on 08.10.2015, constructed ground + first floor commercial building. Due to certain deviations, the respondents lock and seal the said premises.

4. Mr.L.Chandrakumar, learned counsel for the petitioner would state that though the petitioner preferred an appeal to the Government under Section 80-A of the Town and Country Planning Act, she has chosen to not press the said appeal, instead she seeks permission to consider her representation, so as to enable her to rectify the building in conformity with the approved plan.

5. Mr.Raja Srinivas, learned Senior Standing Counsel appearing for the respondents submitted that if the petitioner brings the deviation within the plan approved, then this Court may consider granting sufficient time.

6. In reply, the learned Counsel appearing for the petitioner seeks three months time for doing so.

7. Considering the above, the petitioner shall withdraw the appeal within a period of two weeks from the date of receipt of a copy of this order and thereafter, the respondents are directed to remove the lock and seal affixed on 09.02.2021, within a period of two weeks, so as to enable the petitioner to remove that part of the construction, which is not in conformity with the approved plan. Thereafter, the petitioner would be



given a period of twelve weeks from the date of de-sealing to undertake the said exercise. Needles to state that if the petitioner does not carry out the directions as stated above, the respondents shall seal the premises in question once again.

8. With the above directions, the Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar

pvs

To

1. The Commissioner,
Greater Chennai Corporation,
Rippon Building, Chennai 600 003.

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

+1CC to Mr.L.Chandrakumar, Advocate, SR.No. 46682

+1CC to Mr.K.Raja Shrinivas, Advocate, SR.No. 46977

W.P. No.19484 of 2021

GP(CO)

B.VC (25/10/2021)