



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 05.10.2021

CORAM:

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

W.P. No.21364 of 2021

Lalith Kumar Mangilal Jee

.. Petitioner

Versus

1. The Commissioner,
Greater Chennai Corporation,
Rippon Building,
Chennai 600 079.

2. The Executive Engineer,
Zone-V, Greater Chennai Corporation,
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 respondent to (deseal) remove the lock and seal put up by the respondent with regards to the petitioner's premises bearing New No. 43/7 (53/7), Ponappa Street, Park Town, Chennai 600 003 forthwith to enable me to rectify the deviations and to restore the building in accordance with the permissible planning rules and regulations in the said premises within 6 months on the basis of representation dated 22.09.2021.

For petitioner : Mr.B.Vijay

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

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 respondent to remove the lock and seal put up by the respondent in the petitioner's property, so as to enable him to rectify the deviations and to restore the building in accordance with the permissible planning rules and regulations, on the basis of his



representation dated 22.09.2021.

3. The petitioner would claim that he along with one Vijaya Devi became the absolute owner of the property in new No. 43/7 (53/7), Ponappa Street, Park Town, Chennai 600 003, by virtue of the sale deed, dated 11.02.2008. The petitioner after obtaining planning permission in the year 2010, constructed building and the same was assessed with property tax. Due to certain minor deviation, Lock and Seal and Demolition notice has been issued.

4. The learned counsel for the petitioner Mr.B.Vijay would state that since the deviations are minor in nature, if the premises is de-sealed, the petitioner would carry out necessary rectification on the building and restore the same in compliance with the sanctioned plan. It is further stated that the petitioner also preferred an appeal to the Government under Section 80-A of the Town and Country Planning Act.

5. Mr.Raja Srinivas, learned Senior Standing Counsel appearing for the respondents submitted that the authorities have found that the petitioner has violated the approved plan, hence, the respondents initiated action and there is no illegality.

6. Considering the above, this Court is of the view that 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 10.08.2021, 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 eight 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.

7. 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.K.Raja Srinivas, Advocate, S.R.No.52089

+2cc to Mr.B.Vijay, Advocate, S.R.No.52103

W.P. No.21364 of 2021

CA(CO)
GN(21/10/2021)