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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 15.12.2021

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

W.P.No.26653 of 2021

Zakaria Mohamed

... Petitioner

-vs-

1. The Commissioner
Greater Chennai Corporation
Ripon 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 to issue a Writ of Mandamus, directing the respondent to (de seal) remove the lock and seal put up by the respondent with regards to the petitioners premises bearing New No.117 (54), Amman Koil Street, Seven Wells, George Town, Chennai - 600 001, 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 22.10.2021.

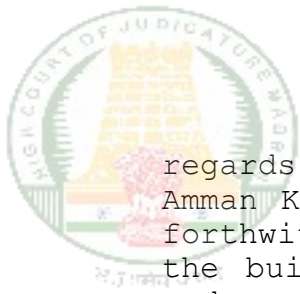
For petitioner : Mr.S.Santhosh

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

ORDER

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

The petitioner has come forward with this writ petition for issuance of a Writ of Mandamus, directing the respondents to (de seal) remove the lock and seal put up by the respondents with



regards to the petitioners premises bearing New No.117 (54), Amman Koil Street, Seven Wells, George Town, Chennai - 600 001, forthwith to enable him 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 22.10.2021.

2.The petitioner would claim that he is the absolute owner of the subject property, by virtue of a sale deed dated 16.05.2018 bearing Doc.No.657 of 2018. He started construction in the above mentioned premises, in consonance with the planning permission. However, suddenly on 12.08.2021, his premises was locked and sealed by the respondents.

3.Mr.K.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.

4.Mr.S.Santhosh, learned counsel for the petitioner seeks six months time for doing so.

5.Considering the above, the respondents are directed to remove the lock and seal affixed on 12.08.2021, within a period of two weeks from the date of receipt of a copy of this order, so as to enable the petitioner to remove the part of 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. Needless 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.

6.With the above directions, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner
Greater Chennai Corporation
Ripon Building
Chennai - 600 079.
2. The Executive Engineer
Zone V, Greater Chennai Corporation
No.61, Basin Bridge Road
Chennai - 600 021.

+1cc to Mr.K.Raja Shrinivas, Advocate, S.R.No.67142

+1cc to Mr.S.Santosh, Advocate, S.R.No.66999

W.P.No.26653 of 2021

SVI (CO)
SU(10/01/2022)