



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 12.01.2022

CORAM:

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

W.P. No.499 of 2022

G.Manoharmal

.. Petitioner

Versus

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 seeking to issue a Writ of Mandamus, directing the respondents to (de seal) remove the lock and seal put up by the respondent with regards to the petitioners property situated at 7(14), Ravanier Street, Edapalayam, Park Town, Chennai 600 003, so as to enable the petitioner to rectify the deviations and to restore the building in accordance with the sanctioned plan and in consonance with the present development rules and regulations on the basis of the petitioner representation dated 31.12.2021

For petitioner : Mr.S.Santhosh

For respondents : Mr.K.Raja Shrinivas



ORDER

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

The Writ Petition is heard through video conferencing.

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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 affixed on 10.08.2021 in the petitioner's property, so as to enable him to rectify and restore the said premises in conformity with the sanctioned plan, on the basis of the his representation dated 31.12.2021.

3. The petitioner would claim that he is the absolute owner of the property at No.7(14), Ravanier Street, Edapalayam, Park Town, Chennai 600 003. After obtaining proper planning permission and building approval, he constructed the building. Due to some minor deviation, the second respondent after issuing lock and seal and de-occupation notices, locked the premises on 10.08.2021.

4. 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.

5. Mr.S.Santhosh, learned Counsel appearing for the petitioner seeks two months time for doing so.

6. Considering the above, the respondents are directed to remove the lock and seal affixed on 31.12.2021, 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 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-VIII)

//True Copy//

Sub Assistant Registrar



pvs

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 Government Pleader SR. No.3114

+1cc to Mr.S.Santhosh, Advocate SR. No.2835

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PL (CO)

PR (08/02/2022)