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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2022

CORAM:

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

W.P.No.2069 of 2022

Santha Kumari

...Petitioner

Vs.

1. The Secretary to the Government,
Government of Tamil Nadu,
Housing and Urban Development Department,
Fort St. George,
Chennai - 600 009.
2. The Commissioner,
Greater Chennai Corporation,
Ripon Building,
Chennai - 600001.
3. The Executive Engineer,
Zone -6, Division 67,
Greater Chennai Corporation,
No.5, Anderson Road, Aynavaram,
Chennai - 600 001.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the 2nd respondent to De-Seal the Lock and Sealed petitioner's property situated at Plot No.09 Door No.9/5 Loco works scheme, Agaram, Chennai-82, so as to enable the petitioner to rectify and restore the subject property in consonance with the sanctioned planning permission in par with the Development Regulations.

For petitioner : Mr.Jai Bharath

For respondents : Mr.M.Alagu Gowtham
Govt. Advocate for R1

Mr.K.Raja Shrinivas
Senior Standing Counsel for R2 & R3



ORDER

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

The petitioner prays removal of lock and seal affixed on 27.02.2017 to bring it in tune with the approved plan.

2.Learned counsels appearing for the respondents submitted that if the petitioner brings the deviation within the plan approved, then this Court can consider granting sufficient time.

3.Learned counsel appearing for the petitioner seeks four months time for doing so.

4.Considering the above, the respondents are directed to remove the lock and seal affixed on 27.02.2017 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. The petitioner would be given a period of four months from the date of de-sealing to undertake the said exercise. Needless to state that if the petitioner do not carry out the directions as stated above, the respondents shall seal the premises in question once again.

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

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

skn

To

1. The Secretary to the Government,
Government of Tamil Nadu,
Housing and Urban Development Department,
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Chennai - 600 009.
2. The Commissioner,
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3. The Executive Engineer,
Zone -6, Division 67,
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No.5, Anderson Road, Aynavaram,
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+2ccs to Mr.Jai Bharath, Advocate SR. No.7876
+1cc to Government Pleader SR. No.7697

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MG (CO)
PR (09/02/2022)