



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2022

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA
and
THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.10851 of 2022

Abhishek S. Jain

... Petitioner

-vs-

1. Government of Tamil Nadu
rep. by its Secretary to Government,
Housing and Urban Development Department,
St. George Fort, Secretariat,
Chennai-600 009.

2. Greater Chennai Corporation
rep. by its Commissioner,
Ripon Building, Chennai-600 003.

3. The Executive Engineer,
Greater Chennai Corporation,
Zone-V, Division-54,
61, Basin Bridge Road,
Chennai-600 021.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking for issuance of a Writ of Mandamus, directing the respondents 2 and 3 to de-seal the ground floor of the petitioner's premises at Door No.48, Perumal Garden Koil Street, Sowcarpet, Chennai-600 079 which was locked and sealed on 17.06.2016 so as to enable the petitioner to carry out rectification of the same in conformity with the sanctioned plan and submit an application for revised plan as per the site condition as required under Section 49 of the Town and Country Planning Act and in conformity with the Tamil Nadu Combined Development Regulations, 2019 by considering the petitioner's representation dated 10.04.2022.

For Petitioner : Mr.D.S.Rajasekaran

For Respondents : Mr.K.V.Sajeew Kumar,
Spl.Govt.Pleader for R1
Mr.K.Raja Shrinivas for R2 & 3



same, suitable direction may be issued, he pleaded.

6. Considering the facts and circumstances of the matter and also the fact that now the petitioner has come forward to rectify the defects/violations, this Court hereby direct the 3rd respondent herein to de-seal the ground floor of the property-in-question within a period of one week and the petitioner is permitted to rectify the deviations as per the approved plan within a period of three months thereafter. It is made clear that if the petitioner fails to rectify the deviations within the stipulated time, the respondent Corporation is at liberty to proceed further in accordance with law for resealing of the property-in-question.

7. With the above observation and direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-III)

//True copy//

Sub Assistant Registrar

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To

1. Secretary to Government,
Government of Tamil Nadu,
Housing and Urban Development Department,
St. George Fort, Secretariat,
Chennai-600 009.
2. The Commissioner,
Greater Chennai Corporation,
Ripon Building, Chennai-600 003.
3. The Executive Engineer,
Greater Chennai Corporation,
Zone-V, Division-54,
61, Basin Bridge Road,
Chennai-600 021.

+1cc to Mr.D.S.Rajasekaran, Advocate SR.No.29414
+1cc to Mr.K.Raja Shrinivas, Advocate SR.No.29503
+1cc to Government Pleader SR.No.30932

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EV(CO)
GMY(10/05/2022)