



W.P.No. 25249 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 27.09.2022

C O R A M

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MR.JUSTICE K. KUMARESH BABU

W.P.No. 25249 of 2022
and
W.M.P.No. 24202 of 2022

1. Bipin Kumar Jain
2. Saroja Bala Jain
3. Ankit L Jain
4. Diksha Jain

....Petitioners

Versus

1. The Commissioner,
The Greater Chennai Corporation,
Ripon Building,
Chennai – 600001.
2. The Executive Engineer,
Zone- 1,
The Greater Chennai Corporation,
Ripon Building,
Chennai – 600001.

...Respondents

PRAYER : : Writ Petition filed under article 226 of the Constitution of India, for the issuance of a writ of Mandamus, directing the respondents to forthwith remove the lock and seal affixed on 24.08.2022 in the petitioner's property situated at Door No. 197, Edapalayam, Chennai – 600 079, so as to enable the



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petitioner to carry out rectification works of the building in consonance with the present Tamil Nadu Combined Development and Building Rules 2019 on the basis of the petitioners' representation dated 25.08.2022.

For Petitioners : Mr. L. Chandrakumar

For Respondents : Mr. Arun Dhanapalan
for Mr. D.B.R. Prabhu
Standing Counsel

ORDER

(Order of the Court was made by *R. SUBRAMANIAN, J.*)

The petitioners seek a writ of mandamus directing the second respondent to de-seal the premises at Door No. 197, Edapalayam, Chennai -600 079, in order to enable them to rectify the violations. The petitioner had obtained planning permission for putting up certain construction in his property situated at Old No. 197, Block No. 76, Mint Street, Edapalayam, Chennai- 600003. When the construction was in progress, officials found that the construction was in deviation of the approved plan. They issued a lock and seal notice informing the petitioner about the deviations from the approved plan. Since the petitioner did not restore the building as per the approved plan, authorities sealed the premises. The petitioners have now come up with a request to de-



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seal, in order to enable them to bring the premises in compliance with the approved plan.

2. Sealing is only a temporary measure and opportunity should be given to the petitioner to effect modification in the building and bring it in conformity with the approved plan. The authorities cannot deny such permission. Hence the writ petition will stand allowed. There will be a direction to the respondents to de-seal the premises within two weeks from the date of receipt of a copy of this order and the petitioner will effect the modifications within a period of twelve weeks there from. If the premises is not brought in conformity with the approved plan, it will be open to the respondents to seal the premises again after the expiry of the 12 weeks period. No costs. Consequently, connected miscellaneous petition is closed.

(R.S.M., J.) (K.B., J.)

27.09.2022

Index : Yes / No
Internet: Yes
Speaking/non speaking order
mrn

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To

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