



WEB COPY



W.P.No.13482 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2023

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI
and

THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

Writ Petition No.13482 of 2023

M.Chinna Ponnu

.. Petitioner

Vs.

The Executive Engineer
Greater Chennai Corporation
Zonal Office
Zone X, No.117
N.S.K.Salai, Kodambakkam
Chennai-600 024.

.. Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondent to remove the lock and seal affixed on the premises bearing Door No.37, Mettu Street, Vadapalani, Chennai-600 026 so as to enable the petitioner is ready to remove the unauthorised hut within a time frame as fixed by this Court.



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For Petitioner : Ms.S.Shamini

For Respondent : Mr. D.B.R.Prabhu
Standing Counsel

ORDER

(Order of the Court was delivered by V.M.VELUMANI,J.)

The petitioner has come out with the present Writ Petition for a direction to the respondent to remove the lock and seal affixed on the premises so as to enable the petitioner to remove the unauthorised hut within the time frame as fixed by this Court.

2. By consent of the learned counsel appearing for the petitioner as well as Mr.D.B.R.Prabhu, learned Standing Counsel, who takes notice for the respondent, the Writ Petition is taken up for final disposal at the stage of admission itself.

3. Heard the learned counsel appearing for the petitioner as well as learned Standing Counsel appearing for the respondent and perused the entire materials on record.



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4. Learned counsel appearing for the petitioner submitted that the petitioner is the owner of the land and building measuring to an extent of 835 sq.ft. situated at Block No.3, Puliyur Village, Nungambakkam Taluk. She has put up small temporary hut with metal roofing sheet in her property and is carrying on business. The respondent issued notice to the petitioner to produce approved plan. The petitioner is an illiterate person and due to ignorance, she did not respond to the said notice. The respondent sent another notice dated 06.01.2023 to discontinue the occupation of the premises. While the petitioner was taking steps to remove the tin sheets put up by her, the respondent Official came to the premises on 06.03.2023 and locked & sealed the premises. Thereafter, the petitioner has sent a representation dated 17.03.2023 to the respondent stating that she is ready to remove the temporary hut and has come out with the present Writ Petition for the above stated relief.

5. Learned counsel appearing for the petitioner submitted that the petitioner is willing to remove the tin metal sheets put up by her in the premises, within a period of two months from the date of receipt of a copy of this order and prayed for removal of lock & seal in the premises.



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6. Considering the above submissions made by the learned counsel appearing for the petitioner, the respondent is directed to remove the lock & seal put up by them so as to enable the petitioner to remove the tin sheets put up by her in the premises, within a period of two months from the date of removal of lock & seal. If the petitioner fails to remove the tin sheets within the time limit granted by this Court, it is open to the respondent to re-seal the premises.

7. With the above directions, the Writ Petition is disposed of. No costs.

(V.M.V., J) (V.L.N., J)
28.04.2023

Index : Yes/No
Neutral Citation : Yes/No

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To

The Executive Engineer
Greater Chennai Corporation
Zonal Office
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**V.M.VELUMANI,J.
and
V.LAKSHMINARAYANAN,J.**

Kj

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