



W.P.No.16206 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.05.2023

CORAM

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MS.JUSTICE R.N.MANJULA

W.P.No.16206 of 2023

P.R.Praveen Kumar

..

Petitioner

Vs.

1.The Commissioner,
Greater Chennai Corporation,
Ripon Building,
Chennai-600 003.

2.The Executive Engineer,
Zone-VIII, Greater Chennai Corporation,
2nd Cross Street, Pulla Avenue, Shenoy Nagar,
Chennai-600 030.

3.Karunamurthy

..

Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondents 1 & 2 to remove (de-seal) the lock and seal put up by the respondents 1 & 2 and to permit the petitioner to remove the unauthorized sheds constructed on the northeast corner of the petitioner's property at



W.P.No.16206 of 2023

Door No.104/152, Mettu Street, Ayanavaram, Chennai-600023.

For the Petitioner : Mr.K.Siva Subramanian

For the Respondents : Mr.DBR.Prabhu
Standing Counsel
for Respondents 1 & 2

ORDER

(Made by the Hon'ble Acting Chief Justice)

The petitioner seeks a direction to the official respondents to remove the the lock and seal put up by the respondents 1 & 2 and to permit him to remove the unauthorized sheds constructed on the northeast corner of his property at Door No.104/152, Mettu Street, Ayanavaram, Chennai-600023.

2. According to the petitioner, he is presently in absolute possession and enjoyment of the aforementioned property. The third respondent herein had encroached and put up unauthorized sheds on the northeast corner of his property. Thereafter, his sister, the then owner of the property in question, made a complaint to the official respondents to remove the said encroachment. Pursuant to the same,



W.P.No.16206 of 2023

the second respondent issued notice dated 02.02.2023 calling upon his sister to produce the approved plan. As his sister did not produce the same, the second respondent issued lock and seal notice dated 27.02.2023 and de-occupation notice on 05.04.2023 and thereafter, locked and sealed the property on 02.05.2023. Hence, the above writ petition.

3. The learned counsel for the petitioner submits that the petitioner is prepared to remove the unauthorized construction put up by him in the place in question and seeks a month's time.

4. Mr.D.B.R.Prabhu, learned Standing Counsel appearing for the respondents 1 and 2, submits that if the petitioner fails to remove all the unauthorized construction within the said time, the same will be removed by the Chennai Corporation at the cost of the petitioner.

5. In view of the above, the petitioner is granted a month's time to remove all the unauthorised constructions. It is needless to mention that if the petitioner does not remove the unauthorized construction



W.P.No.16206 of 2023

within a month, as promised by him before this Court, the respondent Corporation shall demolish the unauthorized construction in question at the cost of the petitioner.

6. The Writ petition is disposed of with the above direction.
There will be no order as to costs.

(T.R., ACJ.) (R.N.M., J.)
24.05.2023

Index : Yes/No
Neutral Citation : Yes/No

kpl/mrn

To

- 1.The Commissioner,
Greater Chennai Corporation,
Ripon Building,
Chennai-600 003.
- 2.The Executive Engineer,
Zone-VIII, Greater Chennai Corporation,
2nd Cross Street, Pulla Avenue, Shenoy Nagar,
Chennai-600 030.



WEB COPY



W.P.No.16206 of 2023

T.RAJA, ACJ,
and
R.N.MANJULA, J.

(kpl/mrn)

W.P.No.16206 of 2023

24.05.2023