



WEB COPY



W.P.No.28654 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.09.2023

CORAM

THE HON'BLE Mr. JUSTICE R.SURESH KUMAR
AND
THE HON'BLE Mr. JUSTICE K.KUMARESH BABU

W.P.No.28654 of 2023

V.Kailasam

... Petitioner

Vs.

1.The Zonal Officer,
Zone – VIII, Greater Chennai Corporation,
No.36b, Pulla Avenue, Shenoy Nagar,
Chennai – 600 030.

2.The Executive Engineer,
Zone – VIII, Greater Chennai Corporation,
No.36b, Pulla Avenue, Shenoy Nagar,
Chennai – 600 030.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus directing the respondents to de-seal the petitioner's property bearing Flat No.G1 in Ground Floor at Plot No.85, South Mada Street, Villivakkam, Chennai – 600 049 to enable the petitioner to remove the deviated construction and to restore the property in accordance with the sanctioned planning permission and in conformity with the Tamil Nadu Combined Development and Building Rules, 2019 within a period of 6 months.



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W.P.No.28654 of 2023

For Petitioner : Mr.J.S.Rajasekaran
for Mr.K.Siva Subramanian

For Respondents : Mr.D.B.R.Prabhu

ORDER

(Order of the Court was made by K.KUMARESH BABU, J.)

The writ petition had been filed seeking for a direction to the respondents to de-seal the petitioner's property bearing Flat No.G1 in Ground Floor in Plot No.85, South Mada Street, Villivakkam, Chennai 49 to enable the petitioner to remove the deviated construction and to restore the property in accordance with the sanctioned planning permission and in conformity with the Tamil Nadu Combined Development and Building Rules 2019 within a period of six months.

2. When the matter is taken up for hearing, Mr.D.B.R.Prabhu, learned counsel appearing on behalf of the respondents would submit that if the petitioner wanted to bring the building within the conformity of the planning permission, they would have no objection for de-sealing the premises. However, he would further submit that still such rectification is to be made within the conformity of the planning permission and till such



W.P.No.28654 of 2023

time the building should not be put into use by the petitioner.

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3. Recording his submission and considering the relief as sought for by the petitioner to bring the building within the parameters of the planning permission granted by the respondents, the petitioner is granted three months time to effect such rectification. The respondents are directed to de-seal the premises within a period of one week from today. The petitioner shall also not put the building for any use till such rectification is carried out and approved by the respondents.

4. With the above direction and observation, this Writ Petition stands disposed of. No costs.

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

29.09.2023

Index : Yes/No

Speaking Order : Yes/No

Neutral Citation : Yes/No

Sgl

R. SURESH KUMAR, J.
And



WEB COPY



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K.KUMARESH BABU, J.

Sgl

To

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