



W.P.No.29383 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2023

CORAM

**THE HON'BLE MRS. JUSTICE J.NISHA BANU
AND
THE HON'BLE MRS. JUSTICE N.MALA**

W.P.No.29383 of 2023

1.K.Farida Banu
2.Mohamed Omer Huwalid

... Petitioners

Vs.

1. Executive Engineer
Zone – VIII
Greater Chennai Corporation
No.36B, Pulla Avenue
Shenoy Nagar, Chennai – 600 030.

2.Assistant Executive Engineer
Zone – VIII, Unit – 23
Greater Chennai Corporation
No.36B, Pulla Avenue
Shenoy Nagar, Chennai – 600 030.

3.Assistant Engineer
Division 101, Unit-23, Zone – VIII
Greater Chennai Corporation
No.36B, Pulla Avenue
Shenoy Nagar, Chennai – 600 030.

... Respondents



W.P.No.29383 of 2023

WEB COPY

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to forthwith remove the lock and seal affixed on 27.09.2022 in the petitioners property situated at New No.592, Old No.670, Poonamallee High Road, Aminjikarai, Chennai – 600 029, so as to enable the petitioner to carry out rectification works of the building in consonance with the sanctioned Planning permission on par with the present Tamil Nadu Combined Development and Building Rules, 2019, on the basis of the petitioner's representation dated 24.08.2023.

For Petitioners : Mr.M.G.Ramachandran

For Respondents : Mr.D.B.R.Prabhu
Senior Counsel
for RR1 to 3

ORDER

(Order of the Court was made by J.NISHA BANU, J.,)

This Writ Petition has been filed for issuance of Writ of Mandamus, to direct the respondents to forthwith remove the lock and seal affixed on 27.09.2022 in the petitioners property situated at New No.592/2 Old No.670/2, Poonamallee High Road, Aminjikarai, Chennai – 600 029, so as to enable the petitioners to carry out rectification works on the building, in



W.P.No.29383 of 2023

consonance with the sanctioned Planning Permission on par with the Tamil Nadu Combined Development and Building Rules, 2019, on the basis of the petitioners representation dated 24.08.2023.

2.Heard the learned counsel for the petitioners and the learned Standing counsel appearing for the respondents / Corporation of Chennai.

3.Since the prayer itself is self-explanatory and given the limited nature of relief sought for in this Writ Petition, this Court directs the respondents to remove the lock and seal in respect of petitioners premises situated at New No.592/2 Old No.670/2, Poonamallee High Road, Aminjikarai, Chennai – 600 029, so as to enable the petitioners to carry out rectification works on the building, in consonance with the sanctioned Plan.

4.In the event of petitioners failing to rectify the building on par with the sanctioned Plan, within a period of three months from the date of receipt of a copy of this order, respondents are directed to proceed further to lock and seal the premises, in accordance with law.



W.P.No.29383 of 2023

5.The Writ Petition is disposed of with the above direction. No costs.

WEB COPY

(J.N.B, J.) (N.M, J.)
10.10.2023

Jer

Note:Issue order copy on 08.12.2023

Index : Yes / No

Internet : Yes / No

Speaking order/Non-speaking order

Neutral Citation : Yes / No

To

1. The Executive Engineer

Zone – VIII

Greater Chennai Corporation

No.36B, Pulla Avenue

Shenoy Nagar, Chennai – 600 030.

2.The Assistant Executive Engineer

Zone – VIII, Unit – 23

Greater Chennai Corporation

No.36B, Pulla Avenue

Shenoy Nagar, Chennai – 600 030.

3.The Assistant Engineer

Division 101, Unit-23, Zone – VIII

Greater Chennai Corporation

No.36B, Pulla Avenue

Shenoy Nagar, Chennai – 600 030.



WEB COPY



W.P.No.29383 of 2023

J. NISHA BANU, J.
and
N.MALA,J.

Jer

W.P.No.29383 of 2023

10.10.2023