



WP.No.32202 of 2023

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S.S.SUNDAR, J.
and
N.SENTHILKUMAR, J.

(Order of the Court was made by S.S.SUNDAR, J.)

1. This Court, earlier by an order dated 24.02.2023 in WP.No.12228 of 2021, had directed the Respondents 2 to 4 therein to inspect the property and to take action if there is any unauthorised construction or deviation. The Petitioner's building was thereafter locked and sealed on 26.09.2023 pursuant to the direction of this Court in the earlier Writ Petition. Since the building was found to in deviation of the approved plan, this Court was inclined to dismiss the Writ Petition. However, the Petitioner submitted that the deviations are marginal and the Petitioner would rectify the defects so that the building will be in accordance with the building plan approval. Therefore, this Court directed the Respondents to de-seal the premises so as to enable the Petitioner to rectify the defects.
2. This Court in the order dated 12.12.2023, while disposing of the above Writ Petition, has passed the following order:-

“10. This Court , on careful consideration of the facts of the case and based on the submission of the learned counsel for the Petitioner, is inclined to grant opportunity to the Petitioner to rectify the defects. Accordingly, we direct the Respondents to de-seal the premises within one week from the date of receipt of a copy of this order. The Petitioner shall carry out rectification work and bring the building in accordance with the Planning Permission, within a period of twelve weeks thereafter.”



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3. The Petitioner now seeks time. However, the time is not to rectify the defects, which the Petitioner had promised at the time when the Writ Petition was disposed of on 12.12.2023. The Petitioner was directed to rectify the work within a period of twelve weeks from the date of receipt of a copy of the order, i.e. 12.12.2023. Despite, the Petitioner undertook to rectify the defects and report compliance, no steps have been taken by him. The Petitioner now seeks not to rectify the work, but to make out a case for modifying the order. It is open to the Petitioner to challenge the order earlier passed on 12.12.2023. This Court is unable to appreciate the contention of the Petitioner. Hence, post after four weeks for reporting compliance finally.

(S.S.S.R.J.) & (N.S.J.)
07.06.2024

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