



WEB COPY

W.P.No.17506 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2024

CORAM:
THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR
AND
THE HONOURABLE MR. JUSTICE P.B. BALAJI

W.P.No.17506 of 2024
and WMP.No. 19289 of 2024

P.Shanthi

..Petitioner

Vs

1. The Secretary (Technical)
Government of Tamil Nadu,
Housing and Urban Development Department,
Secretariat, Chennai-600009.

2.The Commissioner
Greater Chennai Corporation,
Ripon Building, Park Town,
Chennai -600003.

3.The Zonal Officer,
Zone-V, Greater Chennai Corporation,
No. 61, Basin Bridge Road,
Chennai-600021.

4.The Executive Engineer, Zone -V,
Greater Chennai Corporation,
No. 61, Basin Bridge Road,
Chennai-600021.



5. The Assistant Executive Engineer,
Unit -14, Zone-V,
Greater Chennai Corporation,
Adhikesavalu Street,
Chintadiripet, Chennai.

6. The Assistant Engineer,
DIV 062, Greater Chennai Corporation,
Adhikesavalu Street,
Chintadiripet, Chennai.

..Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, for a writ of certiorarified mandamus, calling for the records the impugned Lock and Seal and Demolition Notice dated 24.05.2024 in Notice No. DN 62/023/2024 issued by the 4th to 6th respondents herein and quash the same as illegal and direct the respondents to accept the revised plan approval of the petitioner through new licensed planner in online mode and pass such further or other orders.

For Petitioner - Mr.J.Suresh

For Respondents - Mr.S.John.J.Rajasingh, AGP – R1
Mr.S.Gopinathan, Standing Counsel-R2 to R6

ORDER

This writ petition has been filed to quash the impugned Lock and Seal and Demolition Notice dated 24.05.2024 in Notice No. DN 62/023/2024 issued by the 4th to 6th respondents and to accept the revised plan approval submitted by the petitioner.



2. The learned counsel for the petitioner has submitted that, the petitioner has filed a revision petition under Section 80-A of the Tamil Nadu Town and Country Planning Act, 1971 before the 1st respondent -Government and the same was disposed of by the 1st respondent vide letter no.6584317/UD 6(1)/2024, dated 25.04.2024 directing the Chennai Corporation to issue revised LSD notice indicating the deviations at site as the notice dated 21.12.2023 was issued when the construction was under progress. Further three months time was granted to the petitioner to rectify the deviations and to obtain revised approval for the rectified building as per Tamil Nadu Combined Development and Building Rules, 2019. The Government further directed that the Corporation to proceed as per the Act if the petitioner failed to comply with the above directions, within the three months period.

3. According to the petitioner, he has submitted the revised plan approval on 24.07.2024 but the respondent-corporation has not passed any orders till date.

4. Learned standing counsel appearing for the respondent corporation seeks has submitted that if any such revised plan has been received by the respondent-Corporation, the same will be considered and appropriate orders



will be passed within two weeks, as per Tamil Nadu Combined Development and Building Rules, 2019.

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5. In view of the submissions made by the learned standing counsel appearing for the respondent corporation, the respondent Corporation shall consider the revised plan submitted by the petitioner on 24.07.2024 and pass orders on merits and in accordance with the law.

6. With the above directions, the writ petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

(D.K.K., J.) (P.B.B., J.)
05.11.2024

Index : Yes/No
Internet : Yes
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