



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-04-2025

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**THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

WP No. 3053 of 2025

1. K.Subramanian
S/o.S.Krishnaswami,
Residing At Plot No.56,
Sri Kapaleeswarar Nagar,
1st North Cross Street,
Neelankarai, Chennai-600 115.

Petitioner(s)

Vs

1. The Commissioner,
Greater Chennai Corporation,
Park Town, Chennai-600 003.

2.The Executive Engineer,
Greater Chennai Corporation, Zone-15,
Rajiv Gandhi Salai, Sholinganallur,
Chennai.

3.The Assistant Executive Engineer,
Greater Chennai Corporation,
Unit-44, Zone-15, Rajiv Gandhi Salai,
Sholinganallur, Chennai.



4. The Assistant Engineer
Greater Chennai Corporation,
Division-197, Unite-44, Zone-15,
Rajiv Gandhi Salai,
Sholinganallur, Chennai.

Respondent(s)

PRAYER

Directing the 2nd respondent to consider the petitioner's representations, dated 28.09.2024 and 12.11.2024 and de-seal the building Plot No.8A, “Harsha Farm” Allikulam Street, Akkarai, Chennai-600 119 which is locked and sealed under Notice, dated 06.03.2023 and consequentially permitting the petitioner to carryout the rectification of deviations within a stipulated time to bring the building within the parameters of the sanctioned plan bearing Planning Permission No.PPA/ WDCN15/ 06526/ 2022 and building permission No.BA/WDCN15/ 04975/ 2022 as mandated by this Court.

For Petitioner(s): S.Poovendhan

For Respondent(s): Mr.D.B.R.Prabhu
Standing Counsel
for Greater Chennai Corporation for R1-4

ORDER

(Order of the Court was made by S.M.Subramaniam J.)

The petitioner filed a sworn affidavit stating that he will demolish the unauthorized construction and restore the building as per the building plan permission. The relevant paragraphs of the sworn affidavit reads as follows:

“6. I submit that I shall now demolish the Eastern portion Villa entirely. I submit that after I demolish the Eastern portion Villa my FSI



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consumption shall be 0.8. I further state that there is no floor violation in the construction.

7. I Submit that I will also remove the projected beams on the side which will also reduce the setback violations and I therefore humbly pray that this Hon'ble Court may be pleased to accept this affidavit and allow the Writ Petition as prayed for thus enabling me to carry out the demolition of Eastern Villa & other portion of the building within a stipulated time to bring the building within the parameters of the sanctioned plan bearing Planning Permission No.PPA/WDCN15/06526/2022 and Building Permission No. BA/WDCN15/04975/2022

8. I undertake to carry out the demolition and rectification within a period of 4 months and also undertake to obtain a revised plan if necessary for the building after carrying out the demolition of part of the building. of part

2. In view of the undertaking given by the petitioner, three months time is granted to the petitioner to demolish the unauthorized construction and report the same to the Executive Engineer, Greater Chennai Corporation, Zone 15, Sholinganallur, Chennai.

3. The 2nd respondent, on expiry of three months period, shall conduct inspection in the subject property and find out whether the petitioner has demolished the unauthorized construction or not. In the event of failure on the part of the petitioner, the 2nd respondent shall demolish the unauthorized



construction and recover the demolition costs and other expenditures from the petitioner.

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4. With these directions, the Writ Petition is disposed of. No costs.
Consequently, the connected Miscellaneous Petitions, if any, are closed.

(S.M.SUBRAMANIAM J.)(K.RAJASEKAR J.)

23-04-2025

gd

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To
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