



W.P.No.28477 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 01.08.2025

C O R A M

THE HONOURABLE MRS.JUSTICE J.NISHA BANU
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

W.P.No.28477 of 2025
and
W.M.P.No.31889 of 2025

A.M.Xavier

... Petitioner

-VS-

1. The Principal Secretary to Government,
Municipal Administration and Water Supply Department,
Secretariat, Chennai-600 009.

2. The Commissioner,
Udhagamandalam Municipality,
Udhagamandalam-643 001.

... Respondents

***(Cause Title in respect of R1 amended as per the order of this Court
dated 01.08.2025)***

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for records of the the impugned order Letter No.1966/NaNi 1/2023-5 dated 12.03.2025 passed by the 1st respondent and to remove the lock and seal of the premises and permit the writ petitioner to rectify the deviations.



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For Petitioner : Mrs.M.Sneha

For Respondents : Mr.M.Suresh Kumar
Additional Advocate General
Assisted by Dr.T.Seenivasan,
Special Govt. Pleader

ORDER

(By J.Nisha Banu,J.)

The Writ Petition has been filed, seeking to quash the impugned order Letter No.1966/NaNi 1/2023-5 dated 12.03.2025, whereby the appeal filed by the petitioner was dismissed on the ground that the rectification of deviation is not possible and that an FIR has been registered against the petitioner. The petitioner also sought for a direction to the respondents to remove the lock and seal of the premises and permit him to rectify the deviations.

2. Mr.M.Suresh Kumar, learned Additional Advocate General assisted by Dr.T.Seenivasan, learned Special Government Pleader has entered appearance for the respondents. By consent, the Writ Petition is disposed of at the stage of admission itself.



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3. When the matter is taken up for hearing, it is represented by

the learned counsel for the petitioner that there are about 10 deviations pointed out by the Government in the impugned letter dated 12.03.2025 and the petitioner may be given three months' time to rectify all the deviations, so as to bring the building in accordance with the sanctioned plan.

4. Learned Additional Advocate General appearing for the respondents submits that that the building can be de-sealed, if the petitioner is ready to bring down the building in accordance with the plan within the specified time to be prescribed by this Court.

5. Considering the submissions made on either side, this Court directs the respondents to remove the lock and seal of the premises *till 31.10.2025*, so as to enable the petitioner to bring the building in accordance with the plan. Needless to state that on the expiry of the specified period, if the petitioner fails to bring the building as per the sanctioned plan, the respondents are at liberty to re-seal the premises without any further notice to the petitioner.



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AND

M.JOTHIRAMAN, J.

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6. With the above direction, the Writ Petition is disposed of. No

costs.

List this matter on **03.11.2025** for reporting compliance.

(J.N.B.J.,) (M.J.R.J.,)
01.08.2025

Index: Yes / No

Internet: Yes / No

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Note: Issue order copy on 08.08.2025

To:

1. The Principal Secretary to Government,
Municipal Administration and Water Supply Department,
Secretariat, Chennai-600 009.

2. The Commissioner,
Udhagamandalam Municipality,
Udhagamandalam-643 001.

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