



W.P.(MD)No.2389 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 18.02.2025

CORAM:

**THE HON'BLE MRS JUSTICE J. NISHA BANU
AND
THE HON'BLE MRS JUSTICE S.SRIMATHY**

W.P.(MD)No.2389 of 2025
and
W.M.P.(MD)No.1681 of 2025

N.Sankaralingam

...Petitioner

-Vs-

1.The Additional Secretary (Technical),
Housing and Urban Development Department,
Secretariat, Chennai-600 009.

2.The Commissioner,
Tenakasi Municipality,
Tenkasi, Tenkasi District.

...Respondents

PRAYER:Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records of the impugned lock and seal order in Na.Ka.No.2927/2023/F1 dated 21.01.2025 issued by the second respondent and quash the same as illegal and consequently direct the respondents to grant three months time for the petitioner to get the approval from HACA Committee and rectify the building as per the direction of the first respondent dated 15.10.2024.

For Petitioner : Mr.M.Kannan



WEB COPY



W.P.(MD)No.2389 of 2025

For R1 : Ms.D.Farjana Ghoushia
Special Government Pleader
For R2 : Mr.P.Athimoolapandian

ORDER

(Order of the Court was made by the Hon'ble **J.Nisha Banu J.**)

This writ petition is filed challenging the lock and seal order issued by the second respondent in Na.Ka.No.2927/2023/F1 dated 21.01.2025 and for a consequential direction to the respondents to grant three months time for the petitioner to get the approval from HACA Committee and rectify the building as per the direction of the first respondent dated 15.10.2024.

2.The petitioner is having a house property in S.No.700/8A1A, Town Survey No.218 at Ward B, Block No.19, Tenkasi Village, Tenkasi Taluk, Tenkasi District. Since there are some deviations in the approved building plan, the second respondent required the petitioner to secure compliance of the building. Since the approval of the petitioner's revised plan was rejected, the petitioner filed an appeal before the first respondent. The first respondent by an order dated 15.10.2024 directed the petitioner to carry out rectifications in the building to satisfy the rules and to obtain a revised approval within a period of three months. Since the said time limit was over, the second respondent issued notice to the



W.P.(MD)No.2389 of 2025

petitioner to lock and seal the house property. Since the petitioner is residing in that house and it is his only dwelling house, the petitioner applied for extension of time. However, the second respondent without considering the same, has passed the order dated 21.01.2025 to lock and seal the subject house within a period of seven days. Challenging the same, the petitioner has filed this writ petition.

3.The learned counsel for the petitioner submits the petitioner is taking all necessary steps for rectifying the deviations in the approved building plan and it would require an extension of time. He has submitted an application for obtaining NOC from HACA and the said application is under consideration before the authorities concerned. By putting forth all these facts, the petitioner approached the second respondent seeking further time for getting necessary approval. However, the second respondent without considering all these aspects, has passed the order impugned in this writ petition.

4.Heard the learned counsel for the petitioner and the learned Special Government Pleader for the first respondent and the learned counsel for the second respondent.



W.P.(MD)No.2389 of 2025

5. Admittedly, there are some deviations in the petitioner's building.

The petitioner also obtained an order before the authorities concerned to rectify the said deviations and to obtain necessary revised plan approval after several round of litigations before the authorities concerned as well as before this Court. In the present writ petition, the petitioner only seeks extension of time granted by the authorities concerned for carrying out the rectifications in the building.

6. In view of the above, the order passed by the second respondent to lock and seal the petitioner's house, dated 21.01.2025 shall be kept in abeyance and accordingly, this writ petition is disposed of. The petitioner is granted with three months period from the date of receipt of a copy of this order to rectify the deviations and to comply with the order of the first respondent dated 15.10.2024. No costs. Consequently, connected miscellaneous petition is closed.

(J.N.B.,J.) (S.S.Y.,J.)
18.02.2025

Index : Yes/No
Internet : Yes/No
ta



W.P.(MD)No.2389 of 2025

WEB To COPY

- 1.The Additional Secretary (Technical),
Housing and Urban Development Department,
Secretariat, Chennai-600 009.
- 2.The Commissioner,
Tenakasi Municipality,
Tenkasi, Tenkasi District.



WEB COPY



W.P.(MD)No.2389 of 2025

J. NISHA BANU,J.
and
S.SRIMATHY.J

ta

W.P.(MD)No.2389 of 2025

18.02.2025