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Remove seal on retail outlet: HC

Staff Reporter

: The Madras High Court bench here has directed the Madurai Local Planning Authority (LPA) to remove the seal on a private retail outlet in Madurai.

The LPA had sealed the multi-storied Big Bazaar outlet here for not having obtained approval to construct the building. N.K. Ashok, the deputy manager of Future Value Retail Limited, filed the writ petition at the court stating the building that was sealed was owned by Jeyam Velmurugan Associates. They had obtained approval for the building plan from the Madurai City Municipal Corporation in 2008, the petitioner claimed.

Based on the directions of the court, Collector Anshul Mishra filed a counter-affidavit in which he said that the commissioner of the Madurai City Municipal Corporation had granted permission to construct buildings between 2006 and 2010 'beyond the powers delegated to him'.

The commissioner had also signed on behalf of the member-secretary of Madurai Local Planning Authority without any authorisation, he said.

“As per the Tamil Nadu Town and Country Planning Act, 1971 there is a parameter to approve multi-storeyed buildings. As per the Act, there are major violations in this building”, the Collector said justifying the act of sealing the retail outlet.

“The petitioner had not responded to the notices served on them. Therefore, the plan approval was rejected and the petitioner directed to obtain a fresh plan approval”, he further said.

A division bench comprising Justices M.M. Sundresh and R. Mala, on Wednesday, directed the LPA to remove the seal and allow the petitioner to use the building. However, the judges directed the petitioner not to put up additional construction in the building.

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