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CMDA pulled up for not sealing illegal building

The Chennai Metropolitan Development Authority (CMDA) has drawn the ire of the Madras High Court for the lack of an enforcement mechanism in sealing an unauthorised building.

Pointing to the submission of the CMDA that its officials could not seal an unauthorised building even after receiving assistance from the police, the First Bench of Chief Justice S.K. Kaul and Justice M. Sundar said, “The authorities want some force to be sent by the court to help the CMDA to seal the premises, showing a complete lack of enforcement mechanism.”

“We are of the view that it is for the CMDA to ensure that the premises is re-sealed with the assistance of the police force at the earliest and not to waste the judicial time of the court by seeking the assistance of the court in the endeavour,” the Bench added.

The issue pertains to an unauthorised building in Angappa Naicken Street. which was sealed by the CMDA under the directions of the court in December 2014. The seal was subsequently released to enable the owners of the building to rectify the deviations within a period of four months. However, the owners failed to do so.

Stating that its endeavour to reseal the building with the assistance of the police had failed, the department approached the court, seeking the initiation of contempt proceedings against the building's owners.

However, noting that no case was made out for exercising the contempt jurisdiction, the Bench dismissed the plea.