



MODI

PROPERTIES &
INVESTMENTS PVT. LTD.

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Date: 22.09.2007

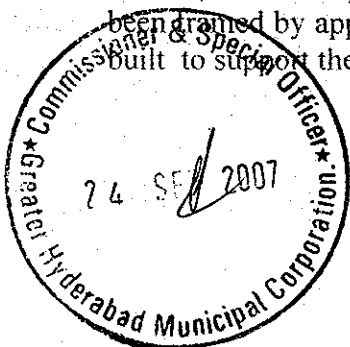
To,
The Chief Commissioner
GHMC.

Ref.: Your notice U/s. 459 of the HMC Act, 1955 bearing no. G2/884/TPS-II/2007
dated 20.9.07

Dear Sir / Madam.

We have received your above referred notice. In that connection please note the following:

1. Mayflower Park and in particular I Block have been built to the highest quality standards. The construction was completed in about 2002. There is no question of any structure being dilapidated or in the danger of collapse.
2. I Block has been structurally build as 2 separate buildings and an expansion joint has been provided between the 2 flats on the eastern side and rest of the building on the western side. The expansion joint falls in the corridor of the building. The very purpose of expansion joint is to let the structures within I Block to expand and contract independent of each other. The gap which has been provided at the expansion joints has been appropriately sealed for the purpose of stopping seepage and for aesthetic looks.
3. We have handed over the building about 5 years ago to the owners of the building. The maintenance of the building is being undertaken by the Mayflower Park Owners Association. The sealant for the expansion joint must be repaired/replaced every few years. Mayflower Park Owners Association is well aware of it and at their request we have given them a list of recommended contractors who will undertake the job. The responsibility of maintenance of the buildings at Mayflower Park is entirely of Mayflower Park Owners Association.
4. Even if the expansion joints are not replaced or repaired it is unlikely to cause any harm to the building (structurally).
5. Reliance communications has put up a tower on I Block after obtaining all necessary permissions from all statutory authorities. You are well aware that hundreds of such towers have been put up through out the city and rules for erection of towers have been framed by appropriate authorities. From our side the structure has been suitably built to support the tower.





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6. GHMC, Kapra Circle has simply jumped to the conclusion that the building is dilapidated and is likely to collapse merely on the complaint of one Mrs. P. Vara Lakshmi a resident of that building. GHMC has neither made a spot inspection, checked any structural plans, consulted the builder or made any effort to understand the nature of the problem.
7. The Deputy Commissioner may please take note that the sole purpose of complaint made by Smt. P. Vara Lakshmi is to get the tower above her flat removed. At several instances some residents of I Block and May Flower Park Owners Association have requested the builder to remove the tower or hand it over to the Owners Association so that they can enjoy the rent from the tower. This complaint has been now instituted as they have failed in all their attempts over the last few years. The complaint is frivolous in nature and has been made to misguide GHMC.
8. The Reliance tower possess no threat to the structure. It may be noted that the weight of the tower is negligible and not tens of tons as stated by Mrs. P. Vara Lakshmi. Further the columns of I Block have been designed to easily take the weight of structures like water tank and lift room which weigh more than 100 tons.
9. GHMC has issued notices to the residents of I Block to vacate the premises. It is very clear from the response of the GHMC that the officers have issued notices only to save their skin. They only wish to absolve themselves of any responsibility. By issuing such notices they are creating panic among the residents of Mayflower Park.

I request the Deputy Commissioner, Kapra Circle, GHMC to withdraw the said notice as it is highly arbitrary and issued without obtaining appropriate inspection report or expert opinion. Further no show cause notice has been issued to the builder as required under law. The builder has not been given any opportunity to represent to GHMC the true facts of the case.

Thank You.

Yours sincerely,

Soham Modi

C.C.: The Deputy Commissioner, Kapra Municipality, GHMC.