



W.P. No. 904 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 904 of 2021

and

W.M.P. No. 987 of 2021

L.T.A.Peter Rayan

... Petitioner

-VS-

1. The Registrar,
Tamil Nadu Information Commission,
No. 2, Thyagaraya Road,
Teynampet,
Chennai – 600 018.
2. The Public Information Officer,
Office of the Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
No. 1, Gandhi Irwin Road,
Chennai – 600 008.
3. The Commissioner,
Pallavaram Municipality,
Pallavaram,
Chrompet,
Chennai – 600 044.
4. The Special Tahsildar,
Town Survey and Settlement,
GST Road,
Pallavaram,
Chennai – 600 044.

... Respondents



W.P. No. 904 of 2021

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Third and Fourth Respondents to furnish the Road Map of Old Pallavaram to the Petitioner as directed by the First Respondent vide its order dated 04.02.2019 in S.A. No. 2425/MA.TTA/2018 and consequently direct the First Respondent to dispose the complaint of the Petitioner dated 17.01.2020 and 06.09.2020 which was preferred by the Petitioner to the First Respondent for initiating action under Section 19 of the RTI Act against the Third and Fourth Respondents by providing compensation to the Petitioner for providing misleading information to the Petitioner.

For Petitioner : Mr. L.P.Maurya

For Respondents : Mr. Niranjana Rajagopalan,
for M/s. G.R.Associates (for R1 & R2)

Mr. P.Srinivas (for R3)

Mr. K.Suresh,
Government Advocate (for R4)

ORDER

Heard Mr. L.P.Maurya, Learned Counsel for the Petitioner, Mr. Niranjana Rajagopalan, Learned Counsel for the First and Second Respondents, Mr. P.Srinivas, Learned Counsel for the Third Respondent and Mr. K.Suresh, Learned Government Advocate appearing for the Fourth Respondent and perused the materials placed on record, apart from the pleadings of the parties.



W.P. No. 904 of 2021

WEB COPY

2. It is the case of the Petitioner that in furtherance to the earlier order dated 21.08.2018 in S.A. No. 2425/Ma.Thi.Thi.Aa/2018 filed by him before the First Respondent under Section 19(3) of the Right to Information Act, 2005 (hereinafter referred to as the 'RTI Act' for short) directing the Second Respondent to furnish the Road Map of Pallavaram to the Petitioner, the Second Respondent had required the Third Respondent to produce it. In turn, the Third Respondent informed that the same was not available with him and may be obtained from the Fourth Respondent. The said action taken was brought to the notice of the First Respondent during its hearing on 30.01.2019. Thereafter, the Fourth Respondent had furnished certain documents to the Petitioner, who was not satisfied with the same, had brought such non-compliance of the aforesaid orders by letter dated 06.05.2019 followed by reminders dated 07.01.2020 and 06.09.2020, but as it did not evoke any response, it has necessitated the filing of this Writ Petition.

3. Inasmuch as the scheme devised in Section 20 of the RTI Act requires the First Respondent to ensure that its orders are carried out within a specified time limit and then posted for reporting compliance, which exercise has not taken place, the First Respondent shall list the aforesaid Second Appeal on



W.P. No. 904 of 2021

05.06.2024, and the Petitioner and the Second to Fourth Respondents shall

appear for that hearing without fail. If the First Respondent is not in a position to take up the matter for hearing on that date, it shall inform to all parties concerned of the date of hearing to which it is adjourned in the prescribed manner. It shall be incumbent upon the First Respondent to afford full opportunity of hearing to all parties concerned following the prescribed procedure in consonance with the principles of natural justice, deal with each of the contentions raised and pass reasoned orders on merits and in accordance with law and communicate the decision taken to them under written acknowledgment.

In the result, the Writ Petition is disposed on the aforesaid terms. Consequently, the connected Miscellaneous Petition is closed. No costs.

15.12.2023

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 18.04.2024.

vjt



W.P. No. 904 of 2021

To

WEB COPY

1. The Registrar,
Tamil Nadu Information Commission,
No. 2, Thyagaraya Road,
Teynampet,
Chennai – 600 018.
2. The Public Information Officer,
Office of the Chennai Metropolitan Development Authority,
Thalamuthu Natarajan Building,
No. 1, Gandhi Irwin Road,
Chennai – 600 008.
3. The Commissioner,
Pallavaram Municipality,
Pallavaram,
Chrompet,
Chennai – 600 044.
4. The Special Tahsildar,
Town Survey and Settlement,
GST Road,
Pallavaram,
Chennai – 600 044.

Copy to

LTA Peter Rayan,
Former Deputy Secretary to the Government of Tamil Nadu,
No. 6, Nagalakshmi Salai,
Tiruchendur Nagar,
Old Pallavaram,
Chennai – 600 117.



WEB COPY



W.P. No. 904 of 2021

P.D. AUDIKESAVALU, J.

vjt

W.P. No. 904 of 2021

15.12.2023