



W.P.(MD) No.23607 of 2019

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.08.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR
and
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

**W.P.(MD) No.23607 of 2019
and
W.M.P.(MD) No.20233 of 2019**

K.Alagarsamy

... Petitioner

-vs-

- 1.The Chief Information Commissioner
Tamil Nadu Information Commission
No.2, Thiyagaraya Road, Teynampet
Chennai-600 018
- 2.The Principal Commissioner
Town & Country Planning Department
No.807, Anna Salai
Chennai-600 002
- 3.The Deputy Director
Town & Country Planning Department
Lady Doak College Road
Madurai
- 4.The Member Secretary
Madurai Local Planning Authority
O/o.the Madurai Corporation
Madurai-625 020



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5.The Assistant Director of Town Panchayats
Collectorate Complex
Madurai-625 020

6.The Executive Officer
Selection Grade Town Panchayat
Paravai, Madurai-625 402

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus to call for the records relating to the impugned orders of the first respondent dated 08.03.2018 in Case No.SA4001/D/2017 and the consequential orders dated 12.04.2018 in Na.Ka.No.1181/2018/Mathi.5, passed by the fourth respondent and order dated 23.04.2018 in Na.Ka.No.41/2018, issued by the sixth respondent and quash the same and issue consequential directions to sixth respondent to supply a copy of the Authenticated Consolidated Layout of AIBEA Nagar submitted by the sixth respondent to the respondents 2 & 3 along with copy of layout pertaining to Plot No.116B as sought by the petitioner from the sixth respondent under Right to Information Act (RTI) vide the petitioner's application dated 02.01.2017 within a time stipulated by this Court.

For Petitioner : Mr.N.Dilip Kumar
for Mr.I.Viswanathan

For Respondents : Mr.K.K.Senthil for R1
Mr.P.Thilakkumar
Government Pleader for R2 to R6



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ORDER

[Order of the Court was made by D.BHARATHA CHAKRAVARTHY, J.]

This writ petition is filed challenging the orders passed under the Right to Information Act, 2005, namely, the original order dated 12.04.2018, first appellate order dated 23.04.2018 and the another order of the Information Commission, dated 08.03.2018.

2. Even though the above orders appear to have arisen under different applications, the grievance of the petitioner is that the entire layout, namely, AIBEA Nagar was granted approval in a staggered manner and no proper information is available as to the various orders passed and ultimate order of the Government approving the cumulative layout. Therefore, it is leading to confusion, since proper authenticated documents are not furnished.

3. Upon considering the grievance of the petitioner, it can be seen that by the order of the Information Commission, dated 08.03.2018, the authorities were directed to give all such documents. As a matter of fact, in the proceedings before us and in the connected proceedings, the layout plan and final order of the Government are filed. Therefore, there cannot be any



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difficulty for the concerned Public Information Officer to supply the documents sought for by the petitioner under the Right to Information Act, 2005.

4. Hence, we are of the view that the impugned orders need not be quashed. However, as per the order of the Information Commission, dated 08.03.2018, the Member-Secretary, Local Planning Authority, Madurai, is directed to comply with the directions issued by the Chief Information Commissioner by duly supplying all the documents, which are required by the petitioner, upon necessary charges, within a period of two weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[S.S.R., J.]

[D.B.C., J.]

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NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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