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W.P. No. 4270 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2024

CORAM

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

W.P. No. 4270 of 2024

1. S.D.V.Suryanarayana Raju

2. S.D.Subhadra Devi

3. Datla Panduranga Bhaskara Raju

4. Satya Naga Vani Datla

5. Siva Sannidhi Charitable Trust

... Petitioners

-VS-

The Municipal Commissioner,
Tiruvannamalai Municipality,
Tiruvannamalai District – 606 601.

... Respondent

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, to direct the Respondent to pass orders on the Petitioner dated 18.05.2023 seeking for permission to develop and maintain the Park in the area earmarked for Park in approved layout “Sivalayam Nagar” bearing Approval No. 261 of 2019 situated at Tiruvannamalai Town, Ward No. 4, Block No. 35, T.S. No. 1890/1B4 in accordance with law.

For Petitioners : Mr. M.Himavanth

For Respondent : Mr. B.Anand



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ORDER

Heard Mr. M.Himavanth, Learned Counsel for the Petitioner and Mr. B.Anand, Learned Counsel, who takes notice for the Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that they had a made representation dated 18.05.2023 to the Respondent to develop and maintain the area earmarked for park in approved layout “Sivalayam Nagar” bearing Approval No. 261 of 2019 situated at Tiruvannamalai Town, Ward No. 4, Block No. 35, T.S. No. 1890/1B4, but as it did not evoke any response, it has necessitated the filing of this Writ Petition.

3. Having regard to the limited nature of relief sought, this Court without expressing any view on the merits of the controversy involved, passes the following order:-

- (i) the concerned authority shall immediately examine the representation dated 18.05.2023 made by the Petitioners including ascertaining as to whether the Petitioner would be entitled for the relief claimed;



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(ii) if it is found that any other details or supporting documents is necessary,

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the deficiencies in that regard shall be informed in writing to the

Petitioners requiring the same to be furnished within a time frame of not

less than 10 days for the same;

(iii) in the event of not being satisfied with the requirements even thereafter,

an enquiry shall be conducted affording full opportunity of personal

hearing to the Petitioners and all other persons concerned to explain their

position in that regard;

(iv) a reasoned order shall be passed dealing with each of the contentions

raised on merits and in accordance with law and the decision taken

communicated under written acknowledgment; and

(v) the report of such compliance shall be filed by 31.08.2024 before the

Registrar (Judicial) of the Court.

In the result, the Writ Petition is disposed on the aforesaid terms.

No costs.

23.02.2024

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 18.04.2024.



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The Municipal Commissioner,
Tiruvannamalai Municipality,
Tiruvannamalai District – 606 601.

Copy to

1. The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.
2. S.D.V.Suryanaryana Raju,
S/o. S.Bhaskara Raju Datla,
No. 1/14, Manakkula Vinayagar Kovil Street,
Chengam Road,
Tiruvannamalai – 606 603.
3. S.D.Subhadra Devi,
W/o. S.D.Venkata Surya Naryana Raju,
No. 1/14, Manakkula Vinayagar Kovil Street,
Chengam Road,
Tiruvannamalai – 606 603.
4. Datla Panduranga Bhaskara Raju,
S/o. S.D.V.S.N.Raju,
No. 1/14, Manakkula Vinayagar Kovil Street,
Chengam Road,
Tiruvannamalai – 606 603.
5. Satya Naga Vani Datla,
W/o. P.R.Bhaskara Raju Datla,
No. 1/14, Manakkula Vinayagar Kovil Street,
Chengam Road,
Tiruvannamalai – 606 603.
5. Siva Sannidhi Charitable Trust,
Represented by S.D.V.Suryanarayana Raju,
Office at No. 1/14, Manakkula Vinayagar Kovil Street,
Chengam Road,
Tiruvannamalai – 606 603.



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P.D. AUDIKESAVALU, J.

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