



W.P(MD)No.18005 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.18005 of 2017

K.Sivagurunathan

... Petitioner

versus

1. The Collector,
The Collectorate Office,
Madurai.

2. The Commissioner,
RTI Appeals,
City Corporation Office,
Madurai.

3. The Public Information Officer
-cum-Assistant Commissioner,
The Corporation Office,
Madurai.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 2nd respondent to consider the petitioner's representation under



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RTI Act dated 19.05.2017 against the order passed by the 3rd respondent dated 17.04.2017 and pass orders within a time frame that may be stipulated by this Court.

For Petitioner : Mrs.M.Aruna Ravi
For R1 : Mr.G.V.Vairam Santhosh,
Additional Government Pleader
For R2 : Mr.K.K.Kannan

ORDER

The petitioner has filed an application before the 3rd respondent under Right to Information Act, seeking certain information with regard to the building plan approval issued to one Siva Balan. According to the petitioner, the said Siva Balan has constructed the building against the plan approval given by the Corporation. The building, which was permitted for commercial purpose, was constructed by the said Siva Balan as residential building. Therefore, the petitioner has sought for certain information from the 3rd respondent. Though the 3rd respondent has furnished the



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information, being not satisfied with the same, he has filed an appeal under RTI Act before the second respondent on 19.05.2017.

2. The learned counsel appearing for the second respondent submits that the said Siva Balan has constructed the building by getting a plan approval. The Madurai Corporation through its proceedings No.NE3/0248/K1 has issued the building plan approval for constructing a commercial building. But, there is no bar to construct the residential building. The information was communicated to the petitioner under Right to Information Act on 17.03.2017 by proceedings No.k1v3/1583/2017 dated 16.03.2017. If the petitioner is aggrieved over the same, he can work out his remedy in the manner known to law.

3. It appears that the petitioner has also filed an appeal before the second respondent/the Commissioner, RTI Appeals, City Corporation Office, Madurai.



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4. Therefore, this writ petition is disposed of with liberty to the petitioner to work out his remedy before the second respondent/the Commissioner, RTI Appeals, City Corporation Office, Madurai. No costs.

05.03.2024

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

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B.PUGALENDHI, J.

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