

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 27TH DAY OF MARCH 2015/6TH CHAITHRA, 1937

WP(C).No. 8547 of 2015 (P)

PETITIONER :

**PRAVEEN P.,
S/O. G.PANKAJAKSHAN PILLAI, "VISHWA BHAVAN"
POOVATTOOR (WEST), MAVADY P.O, KOLLAM - 691 507.**

**BY ADVS.SRI.K.MOHANAKANNAN
SRI.H.PRAVEEN (KOTTARAKARA)**

RESPONDENTS :

- 1. STATE INFORMATION COMMISSION,
REPRESENTED BY ITS JOINT SECRETARY (FINANCE)
PUNNEN ROAD, THIRUVANANTHAPURAM - 695 001.**
- 2. THE DEPUTY DIRECTOR OF PANCHAYATHS,
CIVIL STATION, KACHERI JUNCTION, KOLLAM - 691 013.**
- 3. THE STATE PUBLIC INFORMATION OFFICER,
(PANCHAYATH SECRETARY), KULAKKADA GRAMA PANCHAYATH,
MAVADY P.O., PUTHUR (VIA), KOLLAM - 691 507.**

**BY SRI.M.AJAY, SC, STATE INFORMATION COMMISSION
BY GOVERNMENT PLEADER SRI. JOSEPH GEORGE**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 27-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1: TRUE COPY OF THE COMMUNICATION SENT BY THE 3RD
RESPONDENT DATED 1.8.2014.
- EXT.P2: TRUE COPY OF THE RECEIPT DATED 27.8.2014.
- EXT.P3: TRUE COPY OF THE 1ST APPEAL FILED BEFORE THE 2ND
RESPONDENT DATED 19.11.2014.
- EXT.P4: TRUE COPY OF THE POSTAL RECEIPT DATED 20.11.2014.
- EXT.P5: TRUE COPY OF THE ORDER PASSED BY THE 2ND RESPONDENT
DATED 11.12.2014.
- EXT.P6: TRUE COPY OF THE SECOND APPEAL FILED BEFORE THE 1ST
RESPONDENT DATED 24.12.2014.
- EXT.P7: TRUE COPY OF THE POSTAL RECEIPT DATED 26.12.2014.
- EXT.P8: TRUE COPY OF THE ORDER PASSED BY THE 1ST RESPONDENT
DATED 9.1.2015.

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

P.R. RAMACHANDRA MENON J.

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W.P.(C) No. 8547 of 2015

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Dated, this the 27th day of March, 2015

JUDGMENT

The petitioner has approached this Court with the following prayers :

- "(i) To issue a writ of certiorari or any other appropriate writ or order to call for records leading to Exhibit P8 and quashing the same;
- (ii) To issue a writ of mandamus or any other appropriate writ or order or direction directing the 1st respondent to pay an amount of Rs. 25,000/- as fine as envisaged under Section 20 (1) of the Right to Information Act within a time limit fixed by this Hon'ble Court.
- (iii) To issue a writ of mandamus or any other appropriate writ or order or direction directing the 3rd respondent to furnish the information sought for by the petitioner within a time limit fixed by this Hon'ble Court;
- (iv) To grant such other and further reliefs as are just, proper and necessary in facts and circumstances of the case."

2. The learned counsel for the petitioner submits that rejection of appeal by the first respondent, as per Ext. P8, is not correct or proper and that the reason stated is that the petitioner did not

produce the copies of relevant application and also that of the first appeal. It is stated that the petitioner has been virtually denied an opportunity to cure the defect, if any. It is also stated that the petitioner had in fact submitted copy of the first appeal. In respect of the application submitted before the information officer, since copy of the same is not readily available, the petitioner has made arrangement to obtain certified copy and is ready to produce the same before the first respondent.

2. Heard the learned standing counsel for the first respondent as well.

3. In the above circumstances, the petitioner is set at liberty to obtain copies of the concerned proceedings and have the appeal resubmitted before the first respondent within one month. On such event, the appeal preferred by the petitioner before the first respondent shall be reconsidered and appropriate orders shall be passed on merits in accordance with law, as expeditiously as possible.

The Writ Petition is disposed of.

Sd/-

**P. R. RAMACHANDRA MENON,
(JUDGE)**