

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 05.06.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.15841 of 2015

P.Rathinam

... Petitioner

Versus

1. State Information Commissioner,
Tamilnadu State Information Commission NO.2
Sir Thiyagaraya Salai,
Near Alai Aamman Koil Street,
Teynampet, chennai-18
2. The Appellate Authority
under the Right to Information Act,
The Managing Director
Tamilnadu State Transport Corpn. (Salem) Ltd.,
12, Ramakrishna Salai, Salem 636 007
3. The Public Information Officer
cum Company Secretary
Tamilnadu State Transport Corpn. (Salem) Ltd.
12, Ramakrishna Salai, Salem 636 007

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the 1st respondent to pass order on the Appeal dated 4.2.2015 preferred by the petitioner under the section 19(3) of the Right to Information Act to impose the maximum penalty of Rs.25 000/- and to initiate disciplinary proceedings against the 3rd respondent under Section 20(1) and (2) of the Right to Information Act.

For Petitioner : Mr.A.Nagarathinam

For Respondents : Mr.Rm.Muthukumar (for R1)
Government Advocate.

Mr.P.Paramasivadosh (for R2 and R3)

O R D E R

By consent, the writ petition is taken up for final disposal.

2. The petitioner is a retired driver of Tamilnadu State Transport Corporation, Salem and he filed an application dated 20.11.2014 to the Under Secretary and Public Information Officer, Department of Transport, Secretariat, Fort St. George, Chennai - 9, under Section 6 of the Right to Information Act, seeking certain information as to his service and since, no information was furnished, he preferred a First Appeal dated 21.01.2015 before the Deputy Secretary cum Appellate Authority under Section 19(1) of Right to Information Act and he in turn sent a communication to the petitioner directing him to prefer an appeal to the 2nd respondent, if the information was not furnished. Though, the petitioner received information, it was an incomplete information and hence, he preferred an appeal dated 04.02.2015 to the 2nd respondent under Section 19(3) of the Right to Information Act and though, it was received on 05.02.2015, no orders came to be passed on the said appeal and hence, filed this writ petition.

3. Heard the submissions of Mr.A.Nagarathinam, learned counsel appearing for the petitioner, Mr.Rm.Muthukumar, learned Government Advocate, who accepts notice for the 1st respondent and Mr.P.Paramasivadosh, learned standing counsel, who accepts notice for the respondents 2 and 3.

4. Taking into consideration the limited scope of the prayer sought for by the petitioner and without going into the merits of the claim projected by the petitioner, this Court, directs the 1st respondent to consider the appeal memorandum dated 04.02.2015, preferred by the petitioner, if the papers are otherwise in order, on merits and in accordance with law, after putting on notice the persons concerned and pass orders as expeditiously as possible and not later than eight weeks from the date of receipt of a copy of this order and inform the decision taken, to the petitioner as well as to the persons concerned.

5. The writ petition is disposed of, accordingly. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

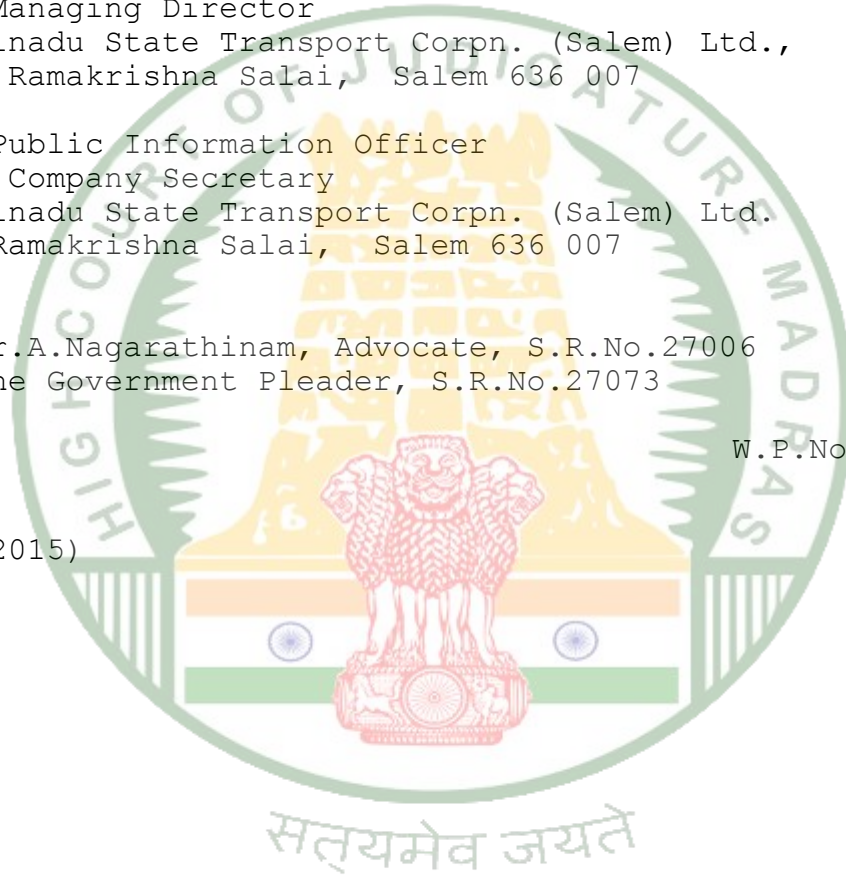
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+1cc to Mr.A.Nagarathinam, Advocate, S.R.No.27006

+1cc to the Government Pleader, S.R.No.27073

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KK(CO)
CA(17/06/2015)



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