

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.17982 of 2015

T.Murugesan

... Petitioner

Vs.

- 1 The Registrar Tamil Nadu
State Information Commission No.2 Sir
Thiyagaraya Salai Near Alai Aamman Koil
Street Teynampet Chennai 18
- 2 The Appellate Authority
under the Right Information Act/ The Joint
Director Department of Geological and
Mining Guindy Chennai 18
- 3 The Public Information Officer
cum Assistant Director (Mines and Minerals)
District Collectors Office Salem 636 001
... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to consider and pass order on the Appeal dated 28.1.2015 preferred by the petitioner under the section 19 (3) of the Right to Information Act to impose the maximum penalty 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.V.Subbiah
Special Government Pleader

O R D E R

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

2.The Petitioner filed an application dated 16.09.2014 to the Public Information Officer, Office of the Collectorate, Salem and it was forwarded to the third respondent and subsequently, the petitioner resubmitted the same application on 22.09.2014 to the

third respondent seeking certain information under the provision of the Right To Information Act. However, the petitioner was not furnished with any information and therefore, he preferred an appeal dated 20.11.2014 before the second respondent under Section 19(1) of the Right To Information Act. Once again, no information has been furnished and the petitioner preferred a second appeal dated 28.01.2015 to the first respondent under Section 19(3) of the Right To Information Act. The first respondent returned the same directing him to prefer first appeal before the second respondent. The petitioner sent a letter dated 27.04.2015 stating that he has already preferred an appeal before the second respondent. The second respondent sent a letter dated 04.05.2015 stating among other things that he has directed the third respondent to furnish information sought for by the petitioner and inform him. The grievance expressed by the petitioner is that inspite of the fact that he has approached the Statutory Authorities, no orders have been passed and hence, came forward to file this writ petition.

3. Heard the submissions of Mr.A.Nagarathinam, learned counsel appearing for the petitioner and Mr.V.Subbiah, learned Special Government Pleader who accepts notice on behalf of the respondents.

4. This Court in the light of the facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the third respondent to comply with the proceedings/ order of the second respondent in Na.Ka.No.11287/M.M.6/2014 dated 04.05.2015 and pass orders in accordance with law within a period of four weeks from the date of receipt of a copy of this order and communicate the same, to the petitioner.

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

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

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To

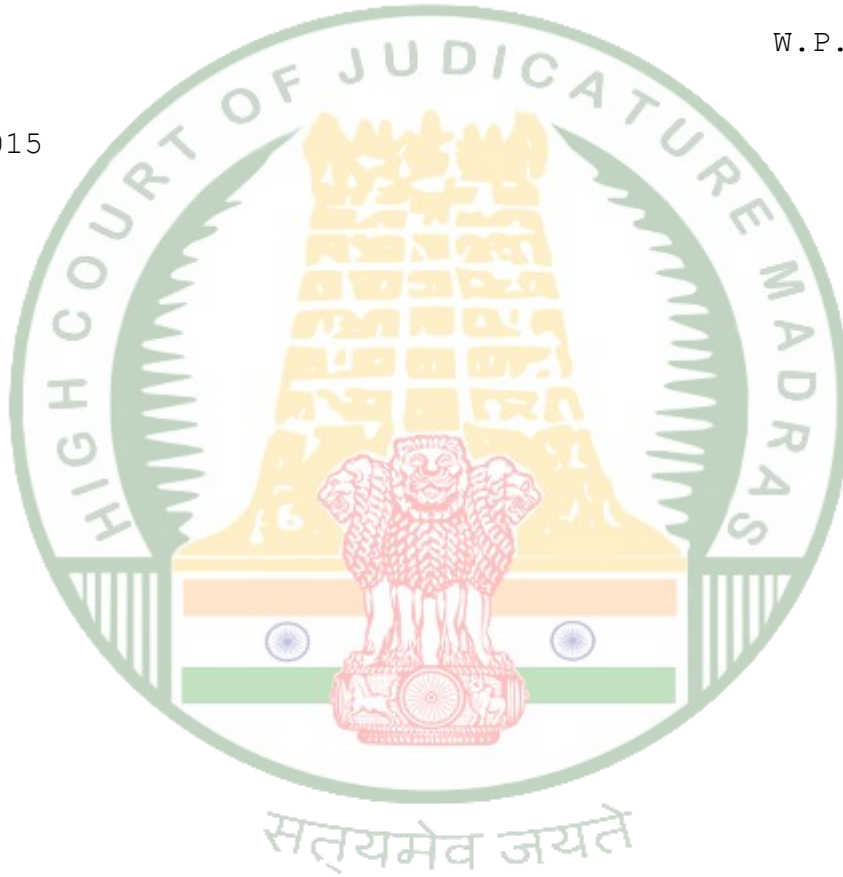
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District Collectors Office Salem 636 001.
- 1 cc to Mr.A.Nagarathinam , Advocate Sr.No.30684
1 cc to Government Pleader.Sr.No.30855

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nm(co)
pmk.3.7.2015



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