

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 25.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.8498 of 2015

C.Solomon

... Petitioner

vs.

1. The Appellate Authority,
rep. By the Joint Director,
Office of the Commissioner of Municipal
Administration, Ezhilagam, 6th Floor,
Chennai - 600 005

2. The Public Information Officer,
Office of the commissioner of
Municipal Administration,
Ezhilagam, Chennai

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for a issuance of Writ of Mandamus directing the respondents to furnish the information sought under Right to Information Act, 2005 by the petitioner dated 05.09.2014 within a time frame as fixed by this Court.

For Petitioner : Mr.G.M.Ananthakumar

For Respondents: Mr.RAS.Senthilvel

Additional Government Pleader

सत्यमेव जयते
O R D E R

Heard Mr.G.M.Ananthakumar, learned counsel appearing for the petitioner and Mr.RAS.Senthilvel, learned Additional Government Pleader appearing for respondents and perused the materials placed on record. With the consent on either side, the Writ Petition itself is taken up for final disposal at the admission stage.

2.The petitioner has filed this Writ Petition for a direction to the respondents to furnish information sought for under Right to Information Act. As against the refusal to furnish information, the petitioner has filed an Appeal before the 1st respondent, who is said to be the First Appellate Authority and the appeal is now pending before the authority.

3. Though the Appeal Petition is dated 05.09.2014, the same has been received by the Appellate Authority on 22.01.2015, which is seen from the postal acknowledgment card.

4. In the light of the above, this Court, while declining the relief sought for by the Writ Petitioner, is inclined to direct the 1st respondent to consider the petitioner's appeal petition dated 05.09.2014 received by the office of the 1st respondent on 22.01.2015 and if the appeal petition is in order, the 1st respondent is directed to consider the appeal petition and pass orders on merits and in accordance with a time fixed under the Right to Information Act.

With the above observation, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssd
To

1. The Joint Director, Appellate Authority,

Office of the Commissioner of Municipal
Administration, Ezhilagam, 6th Floor,
Chennai - 600 005

2. The Public Information Officer,
Office of the commissioner of
Municipal Administration,
Ezhilagam, Chennai

+ 1 cc to Government pleader Sr.16681
+ 1 cc to Mr.G.M.Ananthakumar, Advocate Sr.16709

MSM(CO)
Eu 07.04.2015

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