

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.13536 of 2016

K.Soundararajan
S/o V.Kutty Raja @ Sangli Veerappa
Balasubramania Pandian,
Rep. by Power Agent K.R.S.Ponnusamy Pandian

.. Petitioner

Vs.

1. The Public Information Officer/
Research Director,
Tamil Nadu Archives-cum-Historical
Research Centre,
Egmore, Chennai-600 008.

2. The Public Information Officer/
Research Director, Addl. Charge,
District Archives Department,
No.2, Mission Church Road,
Manampuchavadi,
Thanjavur-613 001.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the respondents to dispose of the petitioner's petition, dated 08.03.2016 within a stipulated time in accordance with law.

For Petitioner : Mr.M.Balasubramnain

For Respondents : Mr.V.Jayaprakash Narayanan, Spl.G.P.

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ORDER

The petitioner has filed this Writ Petition praying for issuance of a Writ of Mandamus to direct the respondents to dispose of the petitioner's petition, dated 08.03.2016 within a stipulated time in accordance with law.

2. The Power Agent of the petitioner has sworn to the affidavit in the Writ Petition, stating that his principal sought for certain information from the first respondent and they informed that the information sought for is not available in the office and sent a communication, dated 21.01.2016 to the principal and the copy of the said communication was also marked to the second respondent stating that in view of the non-affixing of the Court Fee in the petition under the Right to Information Act, the original application was not forwarded to the District Collector. The principal of the petitioner and his family members are unable to look after the legal matters pending in various Courts. The petitioner has been appointed as Power of Attorney Agent on 07.03.2016, vide Document No.6 of 2016 before the Sub-Registrar, Kayathar, Tuticorin District. After getting the Power of Attorney from the principal and his family members, the petitioner sent a fresh petition, dated 08.03.2016 to the second respondent setting out the facts in detail by affixing necessary Court Fee and undertook to pay necessary charges, if any, for the copies. It is further stated that the principal applied as early as in September 2015 before the first respondent. In view of the time consumed in the earlier proceedings, the petitioner has sought for documents relating to "Courts of Wards". It is further stated that the principal M.Jayarani is a chronic diabetic patient and lost her left leg amputated in train accident. The principal, namely M.Jayarani was unable to get maintenance from the "Courts of Wards" due to non-availability of records. Since no action has been taken on the said representation, dated 08.03.2016, the petitioner has filed this Writ Petition for the above relief.

3. Heard both sides.

4. Taking into consideration the factual aspects of the matter, this Court, without going into the merits of the case, directs the second respondent to consider the said representation of the petitioner, dated 08.03.2016, conduct enquiry, afford an opportunity of personal hearing to the petitioner and necessary parties, pass appropriate orders and dispose of the said representation, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on the merits of the claim of the petitioner and it is for the second respondent to decide the same.

5. With the above observations and directions, the Writ Petition is disposed of. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

Copy to

1. The Public Information Officer/
Research Director,
Tamil Nadu Archives-cum-Historical
Research Centre,
Egmore, Chennai-600 008.
2. The Public Information Officer/
Research Director, Addl. Charge,
District Archives Department,
No.2, Mission Church Road,
Manampuchavadi,
Thanjavur-613 001.

+1 cc to M/s.M.Balasubramanian Advocate sr.22803

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