

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.11.2016

CORAM

THE HON'BLE MR.JUSTICE M.S.RAMESH

W.P. No.3393 of 2013

A.Arun Kumar

.. Petitioner

Vs

1. The State Information Officer,
No.2, Thiyagarayar Salai,
Teynampet, Chennai 600 018.
 2. The Commissioner
Thiruvarmamalai Municipality
Thiruvannamalai.
 3. The Public Information Officer/Municipal Engineer
Thiruvannamalai Municipality
Thiruvannamalai
 4. P.Shankar
- ..Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the second and third respondents herein to furnish all the information as requested by the petitioner under Right to Information Act 2005 dated 12.07.2012.

For Petitioner : Mr.P.G.Thiyagu

For Respondents: Mr.Niranjan Rajagopal for
M/s.G.R.Associates for R1
Mr.S.Eraslaine Leo for R2 & R3
No appearance for R4

ORDER

The petitioner sought for a direction to the second and third respondents to furnish the information as requested by him under the Right to Information Act 2005 by his application dated 12.07.2012.

2. The learned counsel appearing for the second and third respondents would submit that they have not received any application under the Right to Information Act dated 12.07.2012 but on the other hand, they had received a letter dated 13.07.2012 to which they have furnished all the informations sought therein. Since the petitioner had not sent any application dated 12.07.2012, no information was furnished to him.

3. The learned counsel for the petitioner has produced a copy of the application dated 12.07.2012 seeking for information under 14 heads and have also produced a postal receipt. However, the respondents have disputed the receipt of the application.

4. I do not want to go into the authenticity of the letter being submitted since the learned counsel for the respondents would now submit that if a copy of the RTI application is supplied to them, they would consider the same on its own merits.

5. Under such circumstances the petitioner is directed to give a fresh copy of his application dated 12.07.2012 as produced before this Court to the third respondent and on receipt of the same, the third respondent shall pass orders on its own merits and in accordance with law within a period of thirty days from the date of receipt of a copy of the order.

6. Accordingly the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

सत्यमेव जयते Sub Assistant Registrar

To

1. The State Information Officer,
No.2, Thiagarayar Salai,
Teynampet, Chennai 600 018.

2. The Commissioner
Thiruvannamalai Municipality
Thiruvannamalai.

3. The Public Information Officer/Municipal Engineer
Thiruvannamalai Municipality
Thiruvannamalai.

+ 1 cc to Mr.P.G.Thiyagu, Advocate Sr 71392

+ 1 cc to Mr.S.Eraslaine Leo, Advocate Sr 70305

KR/28/12

W.P.No.3393 of 2013



WEB COPY