

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.07.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.25103/2016

P.S.Gouri

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Petitioner

Versus

1.The Secretary to Government
Revenue Department, Fort St George
Secretariat, Chennai.

2.The Executive Engineer,
Tamil Nadu Housing Board
Mogappair Division,
Chennai 600 101.

3.The Public Information Officer
Tamil Nadu Housing Board,
493, Anna Salai, Nandanam
Chennai 600 035.

4.The Public Information Officer
Tamil Nadu Housing Board,
JJ Nagar Division, Thirumangalam
Chennai 600 101.

5.The Commissioner,
Tamil Nadu Information Commission,
Thenampet, Chennai 600008.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the respondents to produce the documents asked by petitioner through RTI Act in application dated 18.03.2014 and numbered as 24368/2014.

For Petitioner	:	Mr.R.Meenakshi
For R1	:	Mr.R.Govindasamy, Spl.GP
For R2 to R4	:	Mr.V.Anandamoorthy
For R5	:	Mr.Niranjan Rajagopalan for M/s.G.R.Associates

ORDER

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

2 The petitioner, aggrieved by the non-furnishing of the full and relevant information by the respondents 3 and 4 as to the alternate accommodation given to the evicted persons, had approached the 5th respondent and since no response is forthcoming, the petitioner came forward to file this writ petition.

3 The learned counsel for the petitioner would submit that though the petitioner had approached the respondents 2 to 4 very many times for furnishing information, they did not chose to make any kind of response and therefore, constrained to approach the 5th respondent in the form of representation dated 25.01.2016 and she is yet to be favoured with any reply and hence, the petitioner came forward to file this writ petition.

4 Mr.V.Anandamoorthy, the learned standing counsel who accepts notice on behalf of the respondents 2 to 4 would submit that necessary information has already been furnished to the petitioner vide communication 22.04.2014.

5 Mr.Nirajan Rajagopalan, who accepts notice on behalf of the 5th respondent would submit that since the application/representation submitted by the petitioner is not in proper format and the petitioner may be at liberty to approach the 5th respondent along with a copy of this order and if the papers are otherwise in order, it will be entertained and appropriate orders will be passed in accordance with law.

6 This Court has considered the rival submissions and also perused the materials placed before it.

7 In the light of the stand taken by the learned counsel for the 5th respondent, the petitioner is at liberty to approach the Tamil Nadu Information Commission/the 5th respondent by invoking Section 19[3] of the Right to Information Act, 2005 and to submit the Appeal in the prescribed format, within a period of two weeks from the

date of receipt of a copy of this order and the 5th respondent, on receipt of the same, shall entertain the said appeal, if the papers are otherwise in order and pass orders in accordance with law, after putting on notice, the person/s concerned within a further period of three months thereafter and communicate the decision taken, to the petitioner as well as to the person/s concerned.

8 The writ petition is disposed of with the above direction.
No costs.

AP

s/d-
Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

To

- 1.The Secretary to Government
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- 5.The Commissioner,
Tamil Nadu Information Commission,
Thenampet, Chennai 600008.

+ 1 cc to M/s.R.Meenakshi, Advocate SR 40768

+ 1 cc to M/s.V.Anandhamoorthy, Advocate SR 41196

+ 1 cc to Govt.Pleader SR 41287

rk(co)
prk4/8

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