

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2016

CORAM:

THE HON 'BLE MR. JUSTICE T.S.SIVAGNANAM

Writ Petition No.33039 of 2016

W.Sheela

..Petitioner

/vs/

1.The State Information Commission,
Teynampet,
Chennai 600 018.
Chennai.

2.The Registrar General,
High Court of Madras,
Madras 600 104.

..Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, seeking for Writ of Mandamus, directing the first respondent to dispose the petitioner's appeal dated 16.08.2016 against the second respondent.

For Petitioner :Mr.S.V.Ramamurthy

For Respondent No.1 :Mr.A.N.Thambidurai
Special Government Pleader

O R D E R

Heard Mr.S.V.Ramamurthy, learned counsel appearing for the petitioner and Mr.A.N.Thambidurai, learned Special Government Pleader, appearing for the 1st respondent.

2.In this writ petition, the petitioner seeks for the issuance of a Writ of Mandamus, directing the first respondent viz., the State Information Commission, to dispose of the petitioner's appeal dated 16.08.2016.

3. It appears that the petitioner lodged a complaint against an employee of this Court, who has employed as an Office Assistant in the Madurai Bench. It is her further case that she has given a sum of Rs.25,000/- to the said Office Assistant for obtaining certain information unofficially. This complaint given by the petitioner is stated to have been enquired into by the Registry of this Court and the grievance of the petitioner is that the findings of the enquiry conducted by the Registry, was not intimated to her. When she

made a request under the Right to Information Act, 2005, the Registry has taken a stand that the information cannot be disclosed for certain reasons. As against which, an appeal was preferred to the first Appellate Authority, which was rejected and the petitioner has preferred a second appeal before the first respondent/Commission.

4.Thus, if at all the petitioner seeks for any direction, she has to approach the first respondent/Commission. This Court cannot issue any direction as sought for by the petitioner, in this writ petition, since on the petitioner's own showing that the appeal is time barred and there is a delay of more than 282 days. Therefore, unless and until, the delay is condoned and the appeal is entertained, then only, the matter can be heard by the commission. Therefore, the prayer sought for in the writ petition by the petitioner cannot be acceded to, at this juncture. Accordingly, this writ petition is dismissed. However, the petitioner is at liberty to move the commission for consideration of the application for condonation of delay. No costs.

Sd/-
Assistant Registrar(V)

//True Copy//

Sub Assistant Registrar

ari/srk

To

1.The State Information Commission,
Teynampet,
Chennai 600 018.
Chennai.

2.The Registrar General,
High Court of Madras,
Madras 600 104.

RJ(CO)
EU(18/10/2016)

W.P.No.33039 of 2016