



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.03.2016

CORAM:

THE HONOURABLE MR.JUSTICE **S.MANIKUMAR**
and
THE HONOURABLE MR.JUSTICE **C.T.SELVAM**

W.A.(MD).No.479 of 2016
against WP(MD)No.1179 of 2009

A.Kanagaraj ... Petitioner/Appellant

versus

The State Information Commissioner,
Office of the State Information Commissioner,
Kamadenu Super Market 1st Floor,
No.378, Anna Salai,
Teynampet,
Chennai-18.

... Respondent/Respondent

Appeal filed under Clause 15 of Letters Patent against the order in WP(MD).No.1179 of 2009, dated 30.03.2012.

Prayer in WP(MD).No.1179 of 2009:-

This Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, direct the respondent to dispose of the petitioner's application under Section 20 of the Right to Information Act dated 16/05/2008 .

For Appellant : Mr.Sakkaravarthi for
M/s.Eddy and Embboss
For Respondent : Mr.K.K.Senthil

JUDGMENT

(Judgment of the Court was made by **S.MANIKUMAR ,J.**)

The appellant/writ petitioner has sought for a Mandamus directing the State Information Commissioner, Chennai, to dispose of his application, dated 16.05.2008, filed under Section 20 of the Right to Information Act, 2005.

2. Before the writ Court, on instructions, learned Additional Government Pleader, has stated that the petitioner's application was already disposed of by the respondent on 09.04.2009 itself. Recording the said statement, W.P.(MD).No.1179 of 2009 has been dismissed, as infructuous.



3. That apart, when the matter came up for hearing, Mr.K.K.Senthil, learned counsel appearing for the State Information Commissioner, Chennai, submitted that subsequently, order dated 09.04.2009 passed by the State Information Commissioner, Chennai, was sought to be implemented by the appellant by filing a W.P.(MD).No.365 of 2012, in which, he has sought for a Mandamus directing the State Chief Information Commissioner to take action against the respondents 2 to 6 therein, under Section 20(1) and (2) of the RTI Act, and further prayed for a direction to the respondents 2 to 6 therein, to furnish documents to the writ petitioner/appellant, as per the order passed by the Commission in case Nos.10459, 17007 and 21199/Enquiry/2008, dated 09.04.2009. Adverting to the averments and the prayer sought for, vide order, dated 23.08.2012, the writ Court dismissed W.P.(MD).No.365/2012. He also brought to our notice that W.A.(MD).No.721 of 2012 filed challenging the correctness of the order made in W.P.(MD).No.365 of 2012 was also dismissed by a Hon'ble Division Bench. It is also brought to the notice of this Court, that the very same learned counsel, has filed the subsequent writ petition and appeal.

4. Attitude of the appellant/writ petitioner, is not appreciable. Abuse of process of law is per se apparent on the face of record. Recording the submissions of the learned counsel for the respondent, this appeal is dismissed. No costs.

Sd/-

Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

To

The State Information Commissioner,
Office of the State Information Commissioner,
Kamadenu Super Market 1st Floor,
No.378, Anna Salai, Teynampet, Chennai-18.

+one cc to M/s.Eddy and Embboss, Advocate in SR.NO.17641
jkr
CSL/GSV-PM/07.04.2016 :2p/3c

W.A. (MD) .No.479 of 2016
29.03.2016