



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2017

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) Nos.17050 and 17053 of 2017

A.Kanagaraj ... Petitioner in both petitions

Vs.

The Tamil Nadu State Information Commissioner
O/o The State Information Commission,
No.2,Thiyagaraya Salai,
Teynampet,
Chennai - 600 018.

... Respondent in both petitions

Common Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to consider the petitioner's representations dated 12.09.2016 and 06.09.2016 seeking to pass final order in second appeal in Anai No.SA 1808/B/2016 and Anai No.SA 2431/B/2016 on the file of the respondent.

For Petitioner in both : Mr.M.E.Ilango

For Respondent in both : Mr.K.K.Senthil
Standing Counsel

C O M M O N O R D E R

These writ petitions have been filed, seeking a direction to the respondent to consider the petitioner's representations dated 12.09.2016 and 06.09.2016 seeking to pass a final order in second appeal in Anai No.SA 1808/B/2016 and Anai No.SA 2431/B/2016 on the file of the respondent.

2. Heard the learned Counsel appearing on either side.

3. The case of the petitioner is that he had sought for certain information from the Public Information Officer, under the Right to Information Act, 2005, (herein after referred to as "the Act") by raising three queries regarding Gudalur Janmam Land records and the said Officer has given a reply intimating that the information as sought for by the petitioner cannot be furnished since, the documents were not available. Aggrieved by the said reply, the petitioner had preferred first appeal dated 20.12.2015 before the First Appellate Officer, Gudalur, who has also not responded to the petitioner's query within the time stipulated under the Act



and aggrieved over the same, the petitioner again preferred Second Appeal dated 12.03.2016 to the respondent under Section 19(3) of the Act and the respondent passed an order dated 02.06.2017, directing the Public Information Officer to furnish details on the basis of the application dated 16.12.2015 and submit a report to the respondent within 30 days. Even thereafter, no action has been taken till date, which forced the petitioner to submit a representations dated 06.09.2016 and 12.09.2016 to the respondent for passing final orders in the second appeal. Since the said representations have been kept pending without any further progress, the petitioner is before this Court with the present writ petitions.

4. At this juncture, the learned counsel for the respondent would submit that the respondent is inclined to pass final orders on the representations of the petitioner dated 12.09.2016 and 06.09.2016 within a stipulated time fixed by this Court.

5. Considering the limited scope of the relief sought for in the prayer, this Court, without going into the merits of the case, directs the respondent to consider the representations of the petitioner dated 12.09.2016 and 06.09.2016 with regard to disposal of the second appeal and dispose the same on merits and in accordance with law if not disposed of earlier, within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner.

6. With the above direction, these petitions are disposed of. No costs.

Sd/-

Assistant Registrar(CSI)

/True Copy/

Sub-Assistant Registrar

To:

The Tamil Nadu State Information Commissioner
O/o The State Information Commission,
No.2, Thiyagaraya Salai,
Teynampet, Chennai - 600 018.

+2 ccs to Mr.M.E.Ilango, Advocate, SR.Nos.83902 and 83903

+2 ccs to Mr.K.K.Senthil, Advocate, SR.Nos.83744 and 83745

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RL/6C/2P/KP/SAR1/9/11/2017

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