



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 12.10.2017
CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

WEB COPY

W.P(MD) No.19168 of 2017

A.Kanagaraj

... Petitioner

Vs.

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

... Respondent

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 representation dated 07.09.2017 seeking to pass final order in second appeal in Anai No.SA 2321/A/2016 on the file of the respondent.

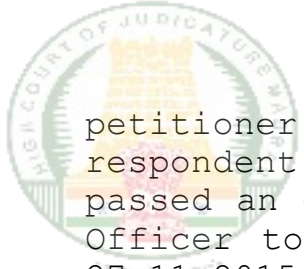
For Petitioner	: Mr.M.E.Ilango
For Respondent	: Mr.K.K.Senthil
	Standing Counsel

O R D E R

This writ petition has been filed, seeking a direction to the respondent to consider the petitioner's representation dated 07.09.2017 seeking to pass a final order in second appeal in Anai No.SA 2321/A/2016 on the file of the respondent.

2. Mr.K.K.Senthil, learned Standing Counsel, takes notice for the respondents. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. The case of the petitioner is that he had sought for certain information from the Public Information Officer, by raising five queries regarding revenue district of Virudhunagar and the said Officer has issued proceedings dated 04.12.2015, giving information with regard to query Nos.1 & 2, but whereas, he had declined to furnish details in respect of 3 to 5 under Section 7(9) of the Act. Aggrieved by the same, he had preferred first appeal dated 03.01.2016 before the First Appellate Officer, Virudhunagar, who in turn advised the petitioner to approach the concerned Tansildar for information, which is contrary to the provisions of the Act and aggrieved by the said proceedings, the



petitioner again preferred Second Appeal dated 23.02.2016 to the respondent under Section 18(3) of the Act and the respondent passed an order dated 05.06.2017, directing the Public Information Officer to furnish details on the basis of the application dated 27.11.2015 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 representation dated 07.09.2017 to the respondent for passing final orders in the second appeal. Since the said representation has been kept pending without any further progress, the petitioner is before this Court with the above relief.

4. At this juncture, the learned counsel for the respondent would submit that the respondent is inclined to pass final orders on the representation of the petitioner dated 07.09.2017 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 representation of the petitioner dated 07.09.2017 with regard to disposal of the second appeal and dispose the same on merits and in accordance with law if not disposed earlier, within a period of four 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, this petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-III)

/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.

+ 1 CC TO MR.M.E.Ilango, ADVOCATE IN SR No.82594
+ 1 CC TO MR.K.K.Senthil, ADVOCATE IN SR No.82704
rm
MK/JC/SAR-2/31.10.2017/2P/4C

W.P(MD) No.19168 of 2017
12.10.2017