



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **14.11.2017**

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

W.P (MD) No.20951 of 2017

Mohideen Abdul Kadar

... Petitioner

Vs.

1. The State Public Information Commissioner,
No.2 E, Thiyagarayar Salai,
Near Aalaiaimman Temple,
Theynampet, Chennai.

2. The First Appellate Authority under RTI Act/
the Manager,
Ramanathapuram Municipality,
Ramanathapuram District.

3. The Public Information Officer under RTI Act,
Ramanathapuram Municipality,
Ramanathapuram District.

... Respondents

PRAYER: Writ petition is filed under Article 226 of Constitution of India, to issue a writ of Mandamus directing the first respondent to take appropriate action against the third respondent by considering the petitioner's representation dated 07.02.2017 and consequently direct the third respondent to provide sufficient information to the petitioner on his application dated 20.10.2014.

For Petitioner	: Mr.K.Jegan
For R-1	: Mr.K.K.Senthil
For R-2 and R-3	: Mr.T.S.Mohamed Mohideen, Additional Government Pleader.

O R D E R

This writ petition is filed seeking a writ of mandamus to direct the first respondent to take appropriate action against the third respondent, based on the petitioner's representation, dated 07.02.2017 and also direct the third respondent to provide sufficient information to the petitioner, based on his application, dated 20.10.2014.

2.Mr.K.K.Senthil, learned counsel, takes notice for the first respondent and Mr.T.S.Mohamed Mohideen, learned Additional Government Pleader, takes notice for the respondents 2 and 3.



3. By consent of both the parties, this writ petition is taken up for final hearing at the stage of admission itself.

4. Heard both sides.

5. The case of the petitioner is that he made an application dated 20.10.2014, under Section 6(1) of the Right to Information Act, 2005, to the third respondent, seeking certain information with regard to tax particulars and as the third respondent failed to provide the same, he filed an appeal before the second respondent and during pendency of the same, the third respondent had given a reply, omitting some information as sought for in the application. Thereafter, he filed second appeal dated 23.02.2015 before the first respondent and the first respondent also directed the third respondent to give sufficient information to him. Since there is inaction on the part of the third respondent, he made a complaint dated 22.12.2015 to the first respondent and also a reminder dated 22.03.2016. But, they have not taken any action so far. Therefore, the petitioner is before this Court.

6. The learned counsel for the petitioner would submit that it would be suffice, if the application of the petitioner dated 20.10.2014, is considered by the third respondent in the light of the order passed by the first respondent.

7. Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the third respondent to consider the application of the petitioner dated 20.10.2014, and provide necessary information to the petitioner, in the light of the order dated 15.10.2015, passed in SA 2965/D/2015, by the first respondent, within a period of four weeks from the date of receipt of a copy of this order.

8. The writ petition is disposed of as above. No costs.

Sd/-

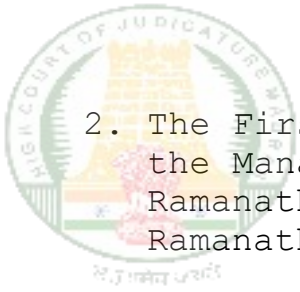
Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar

To

1. The State Public Information Commissioner,
No.2 E, Thiyagarayar Salai,
Near Aalaianman Temple,
Theynampet,



2. The First Appellate Authority under RTI Act/
the Manager,
Ramanathapuram Municipality,
Ramanathapuram District.

3. The Public Information Officer under RTI Act,
Ramanathapuram Municipality,
Ramanathapuram District.

+ 1 cc TO Mr.K.K.Senthil , Advocate in SR No. 87437
+ 1 cc TO The Special Government Pleader in SR No. 87461

smn

AE/MR KKR/SAR4/28.11.2017/3P/6C

ORDER MADE IN
W.P (MD) No.20951 of 2017
14.11.2017