

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.08.2018

CORAM

THE HON'BLE MR. JUSTICE R.MAHADEVAN

W.P.No.427 of 2014

R.Saravanakumar

... Petitioner

Vs

1.The Registrar,
Information Commission,
No.2, Thiyagaraya Salai,
Teynampet, Chennai 600 018.

2.The Appellate Authority,
Office of the Superintendent of Police,
Dharmapuri District,
Dharmapuri.

3.The Deputy Superintendent of Police,
Harur,
Dharmapuri District.

... Respondents

PRAYER : Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the 2nd respondent to treat the petitioner's application dated 21.06.2013 as an appeal as directed by the 1st respondent by his proceedings in Order No.28955/F/2013 dated 01.10.2013 and to dispose of the same within a time frame.

For Petitioner : Mr.R.Jayaprakash
For Respondents : Mrs.P.Rajalakshmi,
Additional Government Pleader

सत्यमेव जयते
O R D E R

The petitioner has come up with this writ petition seeking a direction to the second respondent to treat the petitioner's application dated 21.06.2013 as an appeal as directed by the 1st respondent by his proceedings in Order No.28955/F/2013 dated 01.10.2013 and to dispose of the same within a time frame.

2. According to the learned counsel for the petitioner, the petitioner has submitted an appeal to the second respondent on 10.05.2013, requesting certain information pertaining to the complaints given by his wife against him. Since the said appeal was not considered by the second respondent, the petitioner approached the first respondent by application dated 21.06.2013

claiming the same relief. Thereafter, the first respondent by his proceedings in Order No.28955/F/2013 dated 01.10.2013, directed the second respondent to treat the petitioner's application dated 21.06.2013 as an appeal and dispose of the same on merits. but, the said application is yet to be disposed of by the second respondent. However, the learned counsel submitted that it would suffice, if the application dated 21.06.2013 made by the petitioner is directed to be considered by the second respondent, on merits.

3. Mrs.P.Rajalakshmi, learned Additional Government Pleader appearing for the respondents, submitted that the second respondent may be directed to consider the petitioner's application dated 21.06.2013 as an appeal and pass orders in accordance with law.

4. Having regard to the submissions made by the learned counsel on either side and also taking into consideration the limited prayer sought for in the writ petition, this Court directs the second respondent to consider the petitioner's application dated 21.06.2013 as an appeal and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as any of the interested parties, within a period of eight weeks from the date of receipt of a copy of this order.

5. Accordingly, this writ petition stands disposed of. No costs.

-s/d-

Assistant Registrar (CS-IX)

True Copy

Sub-Assistant Registrar

gsk

To

1.The Registrar,
Information Commission,
No.2, Thiyagaraya Salai,
Teynampet, Chennai 600 018.

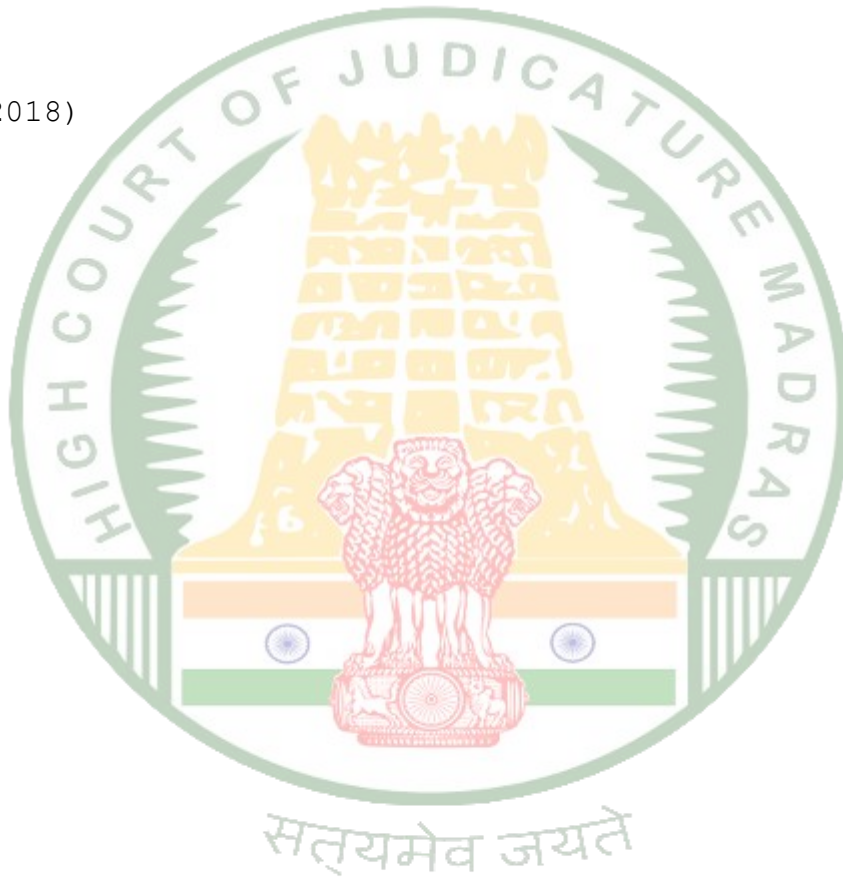
2.The Appellate Authority,
Office of the Superintendent of Police,
Dharmapuri District,
Dharmapuri.

3.The Deputy Superintendent of Police,
Harur,
Dharmapuri District.

+1 CC to Mr.R. Jayaprakash, advocate sr 56988.
+1 CC to Govt. Pleader sr 57196.

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GJII(CO)
SP(17/09/2018)



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