

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.11.2018

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.No.31023 of 2012

Dr.S.J.Sadiq Pasha,

.. Petitioner

Versus

1. The State Information Commissioner,
Tamilnadu State Information Commission,
No.2, Theagaraya Road Near Alaiyammal Koil,
Teynampet (Po),
Chennai - 600 018.
2. The First Appellate Officer cum Regional Deputy Director,
O/o The Regional Deputy Director of Town & Country
Planning,
Corporation Shopping Complex, Dr.Nanjappa Road,
Coimbatore - 641 018
3. Public Information Officer,
O/o The Regional Deputy Director of Town & Country
Planning,
Corporation Shopping Complex, Dr.Nanjappa Road,
Coimbatore - 641 018

.. Respondents

PRAYER:Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, to directing the 2nd and 3rd respondents herein to dispose the petitioner's application under Right to Information Act dated 09.02.2012 accordingly and supply him with correct and complete information for all the fourteen items in proper format and under the seal and sign of the 3rd respondent, and enter necessary details in all the registers that ought to be maintained by the 2nd and 3rd respondents under the Right to Information Act 2005.

For Petitioner	:: Mr.C.Veeraraghavan
For 1 st Respondent	:: M/s.G.R.Associates
For RR 2 & 3	:: No Appearance

ORDER

The Writ Petition has been filed seeking a Mandamus directing the second and third respondents to dispose the application under Right to Information Act. The application is dated 09.02.2012.

2. The petitioner had filed an application seeking information regarding unapproved layout KCB Rose Garden (1) at Udumalpet. It is stated that the third respondent, namely, the Public Information Officer in the office of the Regional Deputy Director of Town & Country Planning, Coimbatore, had responded by a letter dated 06.03.2012 in Na Ka No.672/2011. The petitioner claimed that the information thus provided was vague and incomplete and also incorrect. The third respondent thereafter provided further information by letter dated 17.04.2012 again bearing Na.ka.No.672/2012. This information was also, according to the petitioner, incomplete and incorrect. He therefore filed an second appeal before the first respondent on 25.05.2012. The first respondent, who is the State Information Commissioner, the Tamilnadu State Information Commission, Chennai, passed an order which had been enclosed in the typed set of papers. It is dated 14.09.2012 in order No.25589/C/2012. In the said order, the first respondent had directed the second and third respondents to provide the information sought clearly and completely.

3. As stated above, the order is dated 14.09.2012. Since the second and third respondents did not comply with the said order of the first respondent, the petitioner has filed the present writ petition seeking a Writ of Mandamus / direction against the second and third respondents to furnish information as required.

4. The attitude of the second and third respondents is to be condemned since in this Writ Petition originally an advocate had been appointed and vakalat was also filed and when the matter was taken up today for final hearing, it is represented that the advocate has been changed. This cannot be accepted and if at all there is to be a change in the counsel, it should have been intimated in proper manner to the Registry and cannot be informed at the time of final hearing of the case.

5. Heard the learned counsel for the petitioner, who stated that the writ petitioner is only interested in seeking information for the application made by him dated 09.02.2012 and on which the first respondent, namely, the State Information Commissioner had already directed the second and third respondents to provide complete and correct information.

6. Accordingly, the Writ Petition is allowed. The second and third respondents are directed to provide necessary information in all respects with respect to the application of the writ petitioner dated 09.02.2012 correctly and in proper form on or before 31.01.2019. No costs.

Sd/-

Assistant Registrar(Ccc)

//True Copy//

Sub Assistant Registrar

smv/vsg

To

- 1.The State Information Commissioner,
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2. The First Appellate Officer cum Regional Deputy Director,
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O/o The Regional Deputy Director of Town & Country
Planning,
Corporation Shopping Complex, Dr.Nanjappa Road,
Coimbatore - 641 018

+1cc to Mr.C.Veeraraghavan , Advocate SR.No.77351

+1cc to M/s.G.R.Associates , Advocate SR.No. 77108

W.P.No.31023 of 2012

ASK(30/11/2018)

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