

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2018

CORAM:

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P. No.11956 of 2017

M.Dinesh

... Petitioner

Versus

1. Foreign Regional Registration Office
represented by FRRO Chennai
Bureau of Immigration
No.26, Haddows Road,
Shastri Bhavan Annexe Building,
Nungambakkam, Chennai - 600 034.
2. Ms.I.B.Rani
Director and Appellate Authority,
FRRO Delhi, Intelligence Bureau,
Ministry of Home Affairs,
Sector - I, East Block - 8,
R.K.Puram, New Delhi - 110 066.
3. The Commissioner (Immigration),
Bureau of Immigration,
Ministry of Home Affairs,
Government of India, East Block - VIII,
Level - V, Sector - 1, R.K.Puram,
New Delhi - 110 066.

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Certiorarified Mandamus or any other appropriate writ, direction or order in the nature of writ calling for the records of the 2nd respondent reply letter No.I /IMM/2016 (A) 3619 New Delhi dated 20.12.2016 and quash the same and consequently direct the 2nd responden to furnish requested arrival and departure particulars under RTI Act, mentioned in the Passport No.H.4940685 to the petitioner from 01.01.2013 to 31.12.2015.

For Petitioner : Mr.B.Ullasavelan

For Respondents : Mr.Christopher Kishore Vincent

ORDER

The petitioner is aggrieved against the order passed by the 2nd respondent, dated 20.12.2016 rejecting the appeal filed by the petitioner under the RTI Act, as against the order passed by the first respondent.

2. Admittedly, the petitioner has filed further appeal on 02.01.2017 before the Central Public Information Officer, Central Information Commission, New Delhi against the impugned order issued by the second respondent.

3. Learned counsel for the petitioner submitted that though such an appeal was filed and further reminder was made, the second Appellate Authority has not disposed of the appeal so far. When the petitioner has already filed a Second Appeal before the said authority and the same is said to be still pending, the petitioner is not justified in filing the present writ petition, challenging the order passed by the first appellate authority, once again.

4. Therefore, without expressing any view on the merits of the matter, this writ petition is disposed of by granting liberty to the petitioner to pursue his remedy before the Second Appellate Authority in the appeal pending before such authority, as stated supra. If the said appeal is still pending and not disposed of, it is open to the petitioner to work out his remedy in the manner known to law for the early disposal of such appeal. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vsi2/vri

To :

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New Delhi - 110 066.

+1cc to Mr.B.Ullasavelan, Advocate, S.R.No.9182

+1cc to Mr.Christopher Kishore Vincent, Advocate, S.R.No.9316

W.P. No.11956 of 2017

MK (CO)
CS/20/02/18



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