

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2018

CORAM

THE HONOURABLE MR.JUSTICE K. RAVICHANDRABAABU

W.P.No.34031 of 2017

N.Kulasekaran

... Petitioner

versus

1. The Appellate Authority,
Under Right to Information Act,
O/o.Collectorate,
Kancheepuram & District.

2.The Public Information Officer /
Head Quarters' Deputy Tahsildar,
Taluk Office,
Tiruporur Taluk,
Kancheepuram District.

...Respondents

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the 1st respondent to dispose of the Appeal dated 01.06.2017 expeditiously.

For Petitioner : Mr.C.K.M.Appaji

For Respondents: Mr.E.Balamurugan,
Additional Government Pleader

ORDER

Mr.E.Balamurugan, learned Additional Government Pleader takes notice for the respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for mandamus directing the first respondent to dispose of the appeal preferred on 01.06.2017 under the Right to Information Act, 2005, by contending that the first respondent as the first Appellate Authority has not disposed the appeal so far.

3. I do not think that the petitioner can seek for a direction to the first Appellate Authority to dispose of the

appeal within the time fixed by this Court, when admittedly the time granted under the Statue is said to have expired already, as the petitioner has right of filing Second Appeal, as contemplated under Section 9(3) of the said Act, before the concerned information commission. Without doing so, the petitioner cannot file the present writ petition and seek for mandamus as stated supra. Therefore, this writ petition is disposed of, without expressing any view on the merits of the claim made by the petitioner, only with liberty to the petitioner to file the Second Appeal before the appropriate authority as provided under the Statue. No costs.

Sd/-

Deputy Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Appellate Authority,
Under Right to Information Act,
O/o.Collectorate,
Kancheepuram & District.
- 2.The Public Information Officer /
Head Quarters' Deputy Tahsildar,
Taluk Office,
Tiruporur Taluk,
Kancheepuram District.

+1cc to Mr.CKM.APPAJI, Advocate, S.R.No. 343

+1cc to the Government Pleader, S.R.No. 159

W.P.No.34031 of 2017

TR(11/01/2018)

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