



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No. 9988 of 2018

Nirmala

... Petitioner

vs.

The Tamil Nadu State Information,
Commission, rep by its Assistant Registrar,
No.2, Sir Thyagarayar Salai,
Teynampet, Chennai- 600018.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to dispose the appeal dated 13.03.2018 filed under Right to Information Act, 2005 pending before the respondent commission within the stipulated period.

For Petitioner : Mr.T.Dhanasekaran
For Respondent : Mr.K.K.Senthil

O R D E R

Mr.K.K.Senthil, learned Counsel takes notice for the respondent.

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

3. It is the grievance of the petitioner to dispose the appeal dated 13.03.2018 filed under Right to Information Act, 2005, has not been considered by the respondent till date and therefore, he has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.



5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the respondent to dispose the appeal dated 13.03.2018 filed under Right to Information Act, 2005 on its own merits and take further action in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to the persons who may be interested in the subject property.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar

To

The Assistant Registrar,
The Tamil Nadu State Information Commission,
No.2, Sir Thyagarayar Salai,
Teynampet, Chennai- 600018.

+ 1 CC TO Mr.K.K.SENTHIL, ADVOCATE IN SR No. 64389

AAV
TE/SV-MMS/SAR-3 : 22/05/2018 : 2P/3C

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