



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

WEB COPY

W.P.(MD) No.12255 of 2018

Mariselvam

... Petitioner

vs.

1.The Central Public Information Commission,
CIC Bhavan, Baba Gangnath Mark,
Munirka, New Delhi 110 067.

2.The Joint Secretary and Regional Director (SR)/
Appellate Authority,
Staff Selection Commission,
EVK Sampath Building second Floor,
College Road, Chennai 600 006.

3.The Central Public Information Officer/
Assistant Director,
EVK Sampath Building,
2nd Floor, College Road,
Chennai 600 006.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to dispose of the petitioner's RTI second appeal dated 21.12.2017, which is pending before the first respondent in Diary No.185759 dated 28.12.2017 vide file No.CIC/SSCOM/A/2017/185759 within in a stipulated time fixed by this Court.

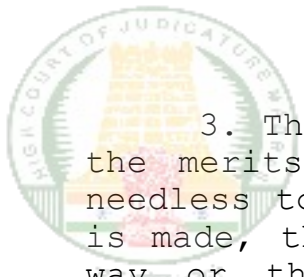
For Petitioner : Mr.S.M.Anantha Murugan

For Respondents : Mr.K.R.Laxman

O R D E R

Heard Mr.S.M.Anantha Murugan, learned counsel appearing for the petitioner and Mr.K.R.Laxman, learned counsel appearing for the respondents.

2.It is the grievance of the petitioner that his representations dated 05.02.2018, seeking for dispose of the petitioner's RTI second appeal dated 21.12.2017 which is pending before the first respondent in Diary No.185759 dated 28.12.2017 vide file No.CIC/SSCOM/A/2017/185759, has not been disposed by the first respondent till date and therefore, he has filed the present writ



3. 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 dispose the same in one way or the other. Non-disposal 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 dispose the petitioner's representation within a stipulated time.

4. In view of the limited prayer sought for in this writ petition, there shall be a direction to the 1st respondent to dispose the petitioner's representation dated 05.02.2018 on its own merits, within a period of eight 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 and any other persons who may be interested in the subject matter.

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

Sd/-
Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar(CS-II)

To:

- 1.The Central Public Information Commission,
CIC Bhavan, Baba Gangnath Mark,
Munirka, New Delhi 110 067.
- 2.The Joint Secretary and Regional Director (SR)/
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Staff Selection Commission,
EVK Sampath Building second Floor,
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- 3.The Central Public Information Officer/
Assistant Director,
EVK Sampath Building,
2nd Floor, College Road,
Chennai 600 006.

+1cc to M/S.S.M.Anantha Murugan, Advocate SR.No. 77137
+1cc to M/S.K.R.Laxman, Advocate SR.No. 76755

W.P. (MD) No.12255 of 2018
02.08.2018