

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 09.07.2018****CORAM:****THE HONOURABLE MR.JUSTICE M.S.RAMESH****W.P. (MD) Nos.14659 & 14660 of 2018**

K.Divakar ... Petitioner in both W.Ps.

vs.

1. The State Information Commissioner
1st Floor, Kamadhenu Co-operative
Super Market Building
Old No.273, New No.378
Anna Salai, Teynampet
Chennai-600 018 ... 1st Respondent in both W.Ps.
2. The Public Information Appellate Authority /
Additional Superintendent
Special Prison for Women
Trichirappalli
3. The Public Information Officer
Special Prison for Women
Tiruchirappalli ... R2 & R3 in
W.P. (MD) No.14659 of 2018
4. The Public Information Appellate Authority /
Additional Superintendent
Central Prison, Trichirappalli
5. The Public Information Officer
Central Prison
Tiruchirappalli. ... R2 & R3 in W.P. (MD) No.14660 of 2018

PRAYER (in W.P. (MD) No.14659 of 2018): Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent No.1 to dispose the petitioner's appeal dated 01.05.2018 under Right to Information Act, 2005 within a stipulated period.

PRAYER (in W.P. (MD) No.14660 of 2018): Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent No.1 to dispose the petitioner's appeal dated 01.05.2018 under Right to Information Act, 2005 within a stipulated period.



For Petitioner : Mr.K.A.S.Prabhu
(in both W.Ps.)

For Respondents : Mr.K.K.Senthil for R1
(in both W.Ps.) Mr.S.Nagarajan
Special Government Pleader for R2 & R3

C O M M O N O R D E R

Since the issue involved in both the writ petitions is one and the same, they have been clubbed together, heard together and are being disposed of by this common order.

2. Mr.K.K.Senthil, learned counsel, takes notice for the first respondent and Mr.S.Nagarajan, learned Special Government Pleader, takes notice for the respondents 2 and 3.

3. By consent of both parties, these writ petitions are taken up for final disposal at the stage of admission itself.

4. It is the grievance of the petitioner that his appeals dated 01.05.2018, have not been disposed by the first respondent till date and therefore, he has filed the present writ petitions.

5. This Court has not expressed any of its view with regard to the merits of the appeals preferred by the petitioner. It is needless to point out that whenever an appeal 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 appeals within a stipulated time.

6. In view of the limited prayer sought for in these writ petitions, there shall be a direction to the first respondent to dispose the petitioner's appeals dated 01.05.2018 on its own merits and in accordance with law, within a period of three months 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 matter.

7. With the above direction, these writ petitions are disposed of. No costs.

Sd/-

Assistant Registrar(AS)

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Sub Assistant Registrar



To:

1. The State Information Commissioner
1st Floor, Kamadhenu Co-operative
Super Market Building
Old No.273, New No.378
Anna Salai, Teynampet,
Chennai-600 018.
2. The Additional Superintendent,
Public Information Appellate Authority,
Special Prison for Women,
Trichirappalli.
3. The Additional Superintendent,
Public Information Appellate Authority,
Central Prison, Trichirappalli.
4. The Public Information Officer,
Special Prison for Women,
Tiruchirappalli.
5. The Public Information Officer,
Central Prison,
Tiruchirappalli.

+ 2 ccs TO Mr.K.A.S.Prabhu , Advocate in SR No. 71733, 71734
+ 1 cc TO Mr. K.K.Senthil , Advocate in SR No. 71912

krk

AE/SKN RSK/SAR2/16.07.2018/3P/9C

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