



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.17215 of 2018

K.Kombiah

... Petitioner

vs.

1. The Central Information Commissioner,
CTC Bhawan, Baba Gangnarth Marg,
Munirka, New Delhi 110067
2. The Secretary,
Tamil Nadu Information Commission No.2,
Thiyagaraya Salai,
Near Aalai Amman Kovil,
Teynampet, Chennai- 600 018

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent herein to enquire and dispose of the second appeal dated 15.02.2017 pending on the file of the second respondent within a time stipulated by this Honourable Court.

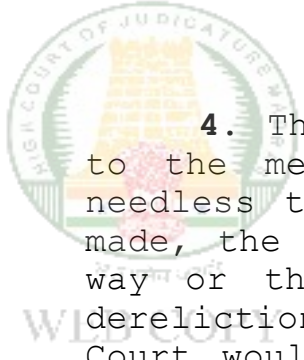
For Petitioner : Mr.A.Sivasubramanian
For Respondents : Mr.K.Asok Kumar Ram
Central Government Counsel for R1
Mr.K.K.Senthi for R2

O R D E R

Mr.K.Asok Kumar Ram, Central Government Counsel takes notice for R1 and Mr.K.K.Senthi learned counsel takes notice for R2.

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 that his appeal dated 15.02.2017, has not been enquired and disposed by the second 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 appeal made 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 his office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct him to dispose 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 second respondent to dispose the appeal dated 15.02.2017 passed by the second respondent on its own merits and in accordance with law within a period of 60 days from the date of receipt of a copy of this order if not already disposed of. Such an exercise shall be done after giving due opportunity to the petitioner as well as to any other persons who may be interested in the subject matter.

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

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-III)

To

1. The Central Information Commissioner,
CTC Bhawan, Baba Gangnarth Marg,
Munirka, New Delhi 110067

2. The Secretary,
Tamil Nadu Information Commission No.2,
Thiyagaraya Salai,
Near Aalai Amman Kovil,
Teynampet, Chennai- 600 018

+ 1 CC TO Mr.K.ASHOK KUMAR RAM, ADVOCATE IN SR No. 76479
+ 1 CC TO Mr.K.K.SENTHIL, ADVOCATE IN SR No. 77108
+ 1 CC TO Mr.A.SIVA SUBRAMANIAN, ADVOCATE IN SR No. 76940

AAV

TE/RP/SAR-3 : 24/08/2018 : 2P/6C