



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.11.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.21064 of 2017

Jahir Usain

... Petitioner

-vs-

1.The State Public Information Commissioner,
No.2 E, Thiyagarayar Salai,
Near Aalaiaimman Temple,
Theynampet,
Chennai.

2.The First Appellate Authority under RTI Act/
Assistant Secretary,
Tamil Nadu Wakf Board,
No.1, Jaffarsiran Street,
Vallal Seethakathi Nagar,
Chennai - 01.

3.The Public Information Officer under RTI Act/
Superintendent of Wakf,
O/o. the Superintendent of Wakf,
No.1, Jamah Pallivasal 2nd Floor,
Madurai - 01.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to dispose the petitioner's second appeal under Right to Information Act, 2005 dated 19.06.2017.

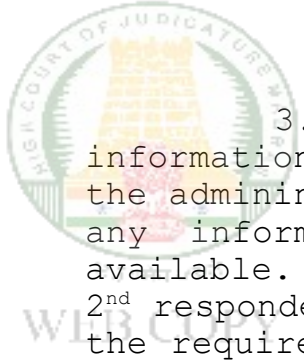
For Petitioner : Mr.S.M.A.Jinnah

For Respondents 1 to 3 : Mr.K.K.Senthil
Standing Counsel for Wakf Board.

O R D E R

This writ petition has been filed, seeking a direction to the first respondent to dispose of the petitioner's second appeal under the Right to Information Act, 2005 dated 19.06.2017.

2. Mr.K.K.Senthil, learned counsel takes notice for the respondents. By consent on either side, the writ petition is taken up for final disposal at the admission stage itself.



3. The case of the petitioner is that he had sought information from the 3rd respondent under the RTI Act with regard to the administration of Jamaath and the 3rd respondent did not provide any information, by simply stating that the records are not available. Aggrieved by the same, he preferred an appeal before the 2nd respondent and on the failure of the 2nd respondent in furnishing the required particulars, the petitioner was again forced to file a 2nd appeal before the 1st respondent. It is the further case of the petitioner that even after receipt of his 2nd appeal, the 1st respondent has not taken any steps to dispose of the same. Hence, the petitioner is before this Court with the above prayer.

4. The learned counsel appearing for the respondents would submit that if a reasonable time is granted to the 1st respondent, the appeal of the petitioner will be disposed of .

5. In view of the above submission, this Court, without going into the merits of the matter, directs the 1st respondent to dispose of the 2nd appeal, if not already disposed of, on merits and in accordance with law as expeditiously as possible.

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

Sd/-
Assistant Registrar (CSII)

/True Copy/

Sub-Assistant Registrar

TO

The State Public Information Commissioner,
No.2 E, Thiyagarayar Salai,
Near Aalaianman Temple,
Theynampet,
Chennai.

+One cc to Mr.K.K.Senthil, Advocate, SR.No.87436

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RL/3C/2P/GT/SAR4/29/11/2017

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