



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU
and
THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

W.A.(MD)No.908 of 2011
and
M.P(MD) No.1 of 2011

S.Kumar

.. Appellant/Petitioner

Vs.

1. The Headmaster,
Panchayat Union Elementary School,
Radhapuram,
Tirunelveli District.

2. The Commissioner,
Tamil Nadu Information Commission,
Anna Salai, Teynampet,
Chennai - 18.

.. Respondents/Respondents

PRAYER: Writ Appeal is filed under clause 15 of Letter Patent Act against the order passed in W.P.(MD)No.7719 of 2011 dated 13.07.2011 on the file of this Court.

Prayer in WP(MD)No.7719/ 2011 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd respondent to consider and dispose of the Petitioner s representation dated 05.10.2010 within stipulated time.

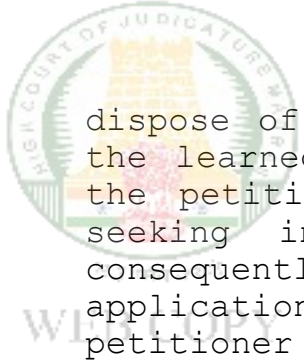
For Petitioner	: Mr.G.Ramanathan
For Respondents	: Mr.A.Thiyagarajan - for R1 Government Advocate Mr.K.K.Senthil - for R2

JUDGMENT

[Order of the Court was made by K.RAVICHANDRABAABU, J.]

Heard both sides.

<https://hcservices.ecourts.gov.in/hcservices/>
2. Though the writ appeal is filed challenging the order of the learned Single Judge in dismissing the writ petition, which was filed for Mandamus, directing the second respondent to consider and



dispose of the representation of the petitioner, dated 05.10.2010, the learned Counsel for the appellant would submit before us that the petitioner may be given liberty to file a fresh application seeking information under the Right to Information Act and consequently, the second respondent may be directed to consider such application. Needless to say that it is always open to the petitioner to make a fresh application seeking information under the Right to Information Act in the manner known to law and also by following the procedure laid down therein. It is also to be stated that if any such application is filed, it is for the concerned Information Officer to consider the same on merits and pass appropriate orders in accordance with law. Therefore, it is open to the petitioner to make a fresh application as stated before us.

3. With the above observation, the Writ Appeal is disposed of accordingly. No Costs. Consequently, connected Miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To:

The Headmaster,
Panchayat Union Elementary School,
Radhapuram,
Tirunelveli District.

+ 1 CC TO Mr.G.RAMANATHAN, ADVOCATE IN SR No. 60039
+ 1 CC TO Mr.K.K.SENTHIL, ADVOCATE IN SR No. 60212

RM
TE/JC/SAR-4 : 20/04/2018 : 2P/4C

JUDGMENT MADE IN
W.A(MD) No.908 of 2011
05.04.2018