

THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

WRIT PETITION No.9759 of 2018

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking verbatim the following relief:

“..to issue Writ or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent No.2 in not providing the information with respect to petitioner's R.T.I. applications dated 16.02.2018, 17.01.2018 and representation 13.9.2017 as illegal, arbitrary, violation of principles of natural justice, violation of Articles 14 and 21 of the Constitution of India and consequently direct the Respondent No.2 to provide the information immediately as requested in petitioner's representation dated 13.9.2017 and subsequent applications dated 16.02.2018 and 17.01.2018 under R.T.I. Act and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

2. I have heard the submissions of the learned counsel for the petitioner and of the learned Government Pleader for Social Welfare (A.P.) appearing for the respondents. I have perused the material record.

3. The only grievance of the petitioner in this writ petition is that despite invoking the provisions of the Right to Information Act, 2005, neither the Public Information Officer nor the Appellate Authority under the said Act, is furnishing the necessary information.

4. Learned counsel for the petitioner would submit that if a direction is given to the Public Information Officer to deal with the applications of the petitioner in accordance with law, the grievance of the petitioner stands redressed. He placed

reliance on the ratio in the decision in **Shri Anandi Mukta Saduguru Shree Muktajee Vandasjiswami Suvarna Jayanti Mahotsav Smarak Trust & ors. V. V.R.Rudani and Ors** (AIR 1989 SC 16507] in support of the submission that the writ of mandamus would lie.

5. Learned Government Pleader for Social Welfare, while endorsing the said submission, would submit that though the petitioner is retired from the B.C Welfare Department, he is now seeking information from the Social Welfare Department.

6. Recording the submissions, the writ petition is disposed of directing the Deputy Director, Social Welfare Department, office of the Director of Social Welfare, Amaravati, Guntur District, to consider and dispose of the applications, dated 17.01.2018 and 16.02.2018, of the petitioner in strict accordance with the provisions of the Right to Information Act, 2005, however, within two weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order.

M. SEETHARAMA MURTI, J

Date: 12.04.2018
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