



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.12.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.Nos.33112 & 33265 of 2019

Deepan Uday
No.12, ISITA Apartment, D2-Flat
3rd Street, Damodarapuram
Adyar, Chennai-600 020. ...Petitioner in W.P.No.33112 of 2019

J.Sukumaran
S/o.S.Jeevanandam
New No.5, Old No.19, Bajanai Koil 2nd Street,
Rajaji Nagar, Zamin Pallavaram
Chennai-600 043. ...Petitioner in W.P.No.33265 of 2019
vs.

- 1.The Central Information Officer
August Kranti Bhavan
Bhikaji Cama Place
New Delhi - 110 006. ...Respondent in W.P.No.33112 of 2019
- 2.The Chief Information Commissioner
Central Information Commission
CIC Bhawan, Baba Gangnath Marg
Munirka, New Delhi - 110 067.
- 3.The Central Public Information Officer
O/o. The JS (Admn.)
Central Board of Excise & Customs
Department of Revenue
Ministry of Finance
North Block,
New Delhi - 110 001. ... Respondents in W.P.No.33265 of 2019

Writ Petition No.33112 of 2019 filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to dispose of the Second Appeal filed by the petitioner dated 10.09.2019 and consequently, directing the respondent to provide the information sought by the petitioner within a time frame to be fixed by this Court.

Writ Petition No.33265 of 2019 filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to furnish the full information sought for by the petitioner in his application dated 15.09.2018 forthwith.



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For Petitioner
in W.P.No.33112 of 2019 : Mr.P.N.Vignesh
For Petitioner
in W.P.No.33265 of 2019 : Mr.S.D.S.Phillip
For Respondents in both W.P.s : Mr.Venkataswamy Babu
standing counsel

C O M M O N O R D E R

Both these writ petitions are filed seeking for mandamus directing the Second Appellate Authority under the Right to Information Act, 2005, to dispose of the Second Appeals filed by the respective petitioners within a time frame fixed by this Court.

2. Heard the learned counsel appearing for the petitioners and the learned standing counsel for the respondents.

3. It is seen that the petitioner in W.P.No.33112 of 2019 has filed the Second Appeal on 10.09.2019 and the petitioner in W.P.No.33265 of 2019 has filed the Second Appeal on 15.09.2018. The grievance of the petitioners is that these appeals are not disposed of at an early date.

4. On the other hand, the learned standing counsel for the respondents, based on written instructions, submitted that the appeals filed are being taken up according to the seniority and therefore, these appeals will be taken up and decided as expeditiously as possible in accordance with their seniority. He further submitted that since several appeals are being filed everyday before the Second Appellate Authority, it is very difficult to dispose of the appeals within a time frame and therefore, the Second Appellate Authority would ensure that the appeals are disposed of as expeditiously as possible, going by its seniority.

5. Considering the above stated facts and circumstances and the submissions made by the learned standing counsel appearing for the respondents, these Writ Petitions are disposed of, without expressing any view on the merits of the claim made by the respective petitioners in the appeals, only with a direction to the Second Appellate Authority to consider the appeals filed by the petitioners and pass orders on the same on merits and in accordance with law as expeditiously as possible in accordance with the seniority. No costs.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar



To

1. The Central Information Officer
August Kranti Bhavan
Bhikaji Cama Place
New Delhi - 110 006.

2. The Chief Information Commissioner
Central Information Commission
CIC Bhawan, Baba Gangnath Marg
Munirka, New Delhi - 110 067.

3. The Central Public Information Officer
O/o. The JS (Admn.)
Central Board of Excise & Customs
Department of Revenue
Ministry of Finance
North Block,
New Delhi - 110 001.

+2cc to Mr.Venkataswamy Babu, Advocate SR.No.103265, 103264

W.P.Nos.33112 & 33265 of 2019

RSV(CO)
GMY(21/01/2020)