



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.08.2019**

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD)No.18269 of 2019

WEB COPY

M.Vasudevan

... Petitioner

-Vs-

1.The State Information Commissioner,
Tamil Nadu State Information Commission,
No.2, Thiyagarajar Salai,
Near Alayamman Temple,
Tehnampettai, Chennai-600 018.

2.The Assistant Director,
Ex-servicemen Welfare Office,
Kanyakumari District,
Nagercoil.

3.The Superintendent,
Ex-servicemen Welfare Office,
Zilla Sainik Board,
Kanyakumari District,
Nagercoil.

4.The District Employment Officer,
Tamil Nadu Employment Office,
Kanyakumari District,
Nagercoil.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the first respondent to enquire and decide the second appeal pending before the first respondent dated 22.03.2019 based on the petitioner's representation dated 25.06.2019 within the time stipulated by this Court.

For Petitioner : Mr.Ananth C.Rajesh
For Respondents : Mr.K.K.Senthil (For R1)
Mr.B.Bhagawathi (For R2 to R4)
Government Advocate

ORDER

The prayer sought for in this writ petition is that, to direct the first respondent to enquire and decide the second appeal pending before the first respondent, dated 22.03.2019, based on the petitioner's representation, dated 25.06.2019, within a time frame to be stipulated by this Court.



2. Heard Mr. Ananth C. Rajesh, learned counsel appearing for the petitioner, Mr. K. K. Senthil, learned counsel appearing for the first respondent and Mr. B. Bhagawathi, learned Government Advocate appearing for the respondents 2 to 4.

3. With the consent of both sides this writ petition is taken up for final disposal at the admission stage itself.

4. As against the grievance of the other respondents, the petitioner filed second appeal under Right to Information Act to the first respondent on 22.03.2019 and the same is still pending with the first respondent. Therefore, the learned counsel appearing for the petitioner would submit that, the petitioner has approached this Court with the aforesaid prayer to decide the said appeal by the first respondent, at the earliest, on merits by giving an opportunity of being heard to the petitioner.

5. I have heard Mr. K. K. Senthil, learned Standing Counsel appearing for the first respondent, who would submit that, number of such second appeals are pending before the first respondent and therefore, the first respondent/Commission is taking every appeal chronologically by giving notice to the parties and after hearing them, it is being decided. Therefore, due to work pressure and large pendency of the second appeal, it takes some reasonable time to decide this appeal also, at any rate, within a reasonable time, this appeal also would be decided on merits.

6. I have heard the submissions made by both sides.

7. Having regard to the said facts and circumstances of the case, this Court is inclined to dispose of this writ petition with the following directions:-

"that the first respondent is hereby directed to decide the second appeal filed by the petitioner, dated 22.03.2019 on merits and in accordance with law, after affording an opportunity of being heard to the parties concerned and pass final order thereon, as expeditiously as possible."

8. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar (CS)



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+1 CC to Mr.ANANTH C. RAJESH, Advocate (SR-83014[F] dated
22/08/2019)

+1 CC to Mr.K.K.SENTHIL, Advocate (SR-83277[F] dated 26/08/2019)

+1 CC to SPL GP (SR-83311[F] dated 26/08/2019)

W.P. (MD) No.18269 of 2019
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