

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2020

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.20437 of 2018

Nithyaesh Natraj

... Petitioner

vs

The Central Information Commissioner,
August Kranti Bhavan,
Bhikaji Cama Place,
New Delhi - 110 006.

... Respondent

Writ Petitions filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus to direct the respondent herein to reopen the 2nd Appeal bearing No.CIC/DOEAF/A/2017/152509 as mentioned in representation dated 09.07.2018

For Petitioner: Mr.Narasimha Varman

For Respondent: Mr.Venkatasamy Babu,
Central Govt.Standing Counsel

O R D E R

This writ petition is filed seeking for a Mandamus directing the respondent to reopen the 2nd Appeal bearing No.CIC/DOEAF/A/2017 /152509.

2. Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondent.

3. The grievance of the petitioner before this Court is that though the respondent has passed an order on 05.04.2018 in the Appeal directing the Central Public Information Officer, Ministry of Finance, Department of Economic Affairs, New Delhi, to take action as per the undertaking given by them before the Commission, within 30 days, the concerned Information Officer has not communicated the petitioner so far by way of reply. Therefore, the petitioner seeks for reopening the Appeal before the respondent. In effect, the grievance of the petitioner is against the non-compliance of the order passed by the respondent.

4. Needless to state that there is procedure provided under the R.T.I. Act for the aggrieved party to approach the concerned authority, if the orders passed by such authority was not complied with. Without doing so, the petitioner is not justified in filing the Writ Petition, that too, for reopening the 2nd Appeal. Therefore, by granting liberty to the petitioner to approach the respondent for seeking appropriate remedy as provided under the R.T.I. Act, this Writ Petition is closed without expressing any view on the merits of the contentions raised by both parties. No costs.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

vsi
To

The Central Information Commissioner,
August Kranti Bhavan,
Bhikaji Cama Place,
New Delhi - 110 006.

+1 CC to M/s. Venkataswamy Babu, Advocate sr 11644.

W.P.No.20437 of 2018

BP(CO)
SP(16/03/2020)

सत्यमेव जयते

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