

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2020

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 31180 of 2013

P.Chinnappan
S/o. Ponnusamy
1298, Koovathur (Post)
Kallathur Thandalai Via
Udayarpalayam Taluk
Ariyalur District.

...Petitioner

-vs-

1. State Chief Information Commissioner
O/o. State Information Commission
No.2, Thiyagarayar Road
Teynampet
Chennai - 600 018.
2. The District Collector,
Ariyalur District.
3. The Revenue Divisional Officer
Udayarpalayam
Ariyalur District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Third Respondent to furnish the copy of the proceedings dated 31.10.2001 along with the deposition of witnesses.

For Petitioner : Mr. M.Sriram

For Respondents: Mr. Niranjan Rajagopalan
Standing Counsel (for R1)

Mr. D.Sathyaraj (for R2 & R3)
Special Government Pleader

O R D E R
(through video conference)

Heard Mr. M.Sriram, Learned Counsel for the Petitioner, Mr. Niranjan Rajagopalan, Standing Counsel for the First Respondent and Mr. D.Sathyaraj, Learned Special Government Pleader for the Second and Third Respondents, and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance sought to be ventilated by the Petitioner in this Writ Petition is that he has not been furnished with the information sought by him from the Third Respondent despite the order No. 45741/A/12 dated 18.01.2013 passed by the First Respondent.

3. Having due regard to the fact that the scheme devised in the Right to Information Act, 2005 requires the State Information Commission to ensure compliance of its orders, the First Respondent ought to have fixed time frame for the Third Respondent to comply with its directions passed on 18.01.2013 and posted the matter for reporting compliance. Since that exercise has not taken place, the First Respondent shall list the matter, and the Petitioner and the Second and Third Respondents shall appear for that hearing without fail. If the First Respondent is not in a position to take up the matter for hearing on that date, it shall inform to all parties concerned of the adjourned date of hearing in the prescribed manner. The First Respondent shall verify whether the order has been complied by the Third Respondent and if not, shall take further action in accordance with law following the prescribed procedure in consonance with the principles of natural justice and shall communicate the decision taken to the parties under written acknowledgment.

Accordingly, the Writ Petition is disposed on the aforesaid terms. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

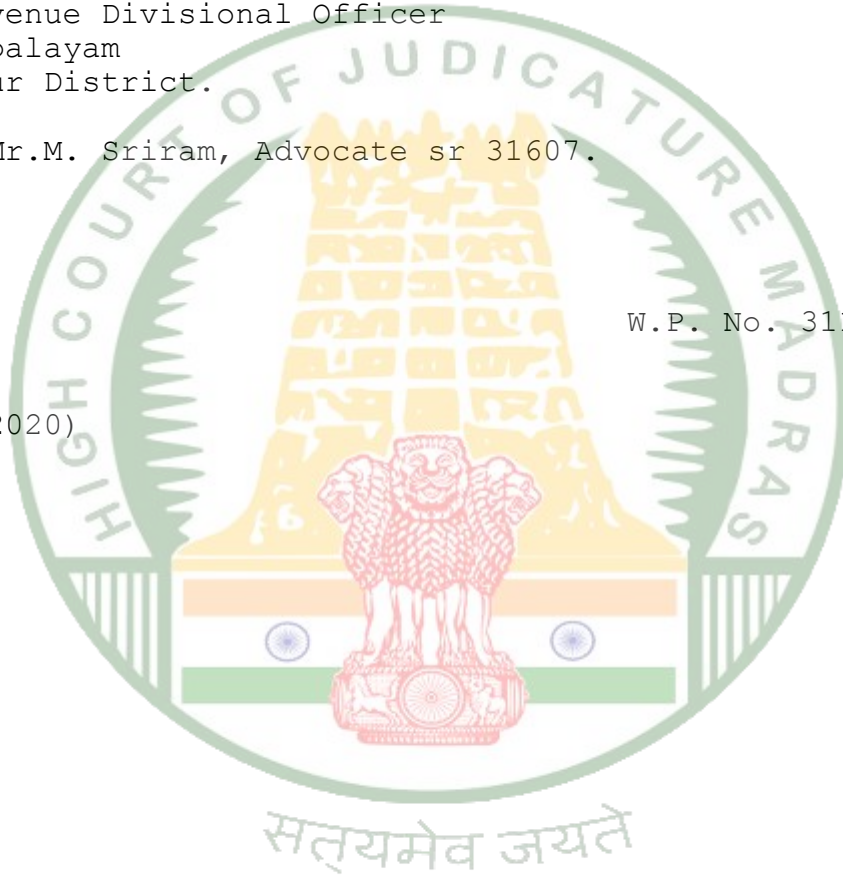
Maya/kv

To

1. State Chief Information Commissioner
O/o. State Information Commission
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Teynampet
Chennai - 600 018.
 2. The District Collector
Ariyalur District.
 3. The Revenue Divisional Officer
Udayarpalayam
Ariyalur District.
- +1 Cc to Mr.M. Sriram, Advocate sr 31607.

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JP(CO)
SP(02/11/2020)



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