

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2020

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THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.9839 of 2018

and

W.M.P.No.11772 of 2018

A.K.Rajan

...Petitioner

Vs.

1.The Public Information Officer,
Tamilnadu Archives & Historical Research Centre,
Egmore, Chennai 600 008.

2.The Public Information Officer/Assistant Director,
(Drafts) Central Survey Office,
Chennai 600 005.

3.The Public Information Officer/Deputy Tahsildar,
Taluk Office, Nagapattinam Town & Post,
Nagapattinam District 600 001.

...Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus to direct the respondents to furnish all the vital information viz., The Kottagam Village Map, falling under the third respondent, territorial jurisdiction sought for by the petitioner in his representation under the Right to Information Act, dated 01.08.2016, within the time stipulated by this Court.

For Petitioner : Mr.M.J.Jaseem Mohammed

For Respondents : Mr.K.Magesh
Special Government Pleader

ORDER

This writ petition is filed for issuance of a mandamus to direct the respondents to furnish all the vital information viz., The Kottagam Village Map, falling under the third respondent, territorial jurisdiction sought for by the petitioner in his representation dated 01.08.2016 under the Right to Information Act, within the time stipulated by this Court.

2.This matter was adjourned on several occasions for filing counter by the respondents. When it was taken up on the last hearing dated 29.01.2020, the learned counsel for the respondents again sought time for filing counter. Hence, this Court adjourned the matter finally to 12.02.2020 (today) for filing counter also by indicating that if no counter affidavit is filed on the said date, the matter will be taken up and decided based on the materials available on record. Accordingly, the matter is listed today. Once again the respondents seek time for filing counter. This Court is not inclined to grant further time.

3. The petitioner seems to have filed an application under RTI Act to seek certain information. It is stated that the said information has not been furnished and appeal presented before the concerned Authority was also not fruitful. Thus, it is stated that second appeal was also filed before the State

Commission, which in turn passed an order on 06.12.2015, directing the Public Information Officer, Tamilnadu Archives and Historical Research Center, to furnish the information and send a report to the State Commission within 30 days. The grievance of the petitioner is that though the said order was passed on 06.12.2015, the information was not furnished so far. Therefore, he filed the present writ petition.

4. Needless to state that if the order passed by the second Appellate Authority has not been complied with, the relevant Act, viz., Right to Information Act provides the procedure to be followed before the concerned forum as against the non compliance of the direction. Therefore, it is for the petitioner to approach the State Commission and file appropriate application for seeking redressal of his grievance. Accordingly, this writ petition is disposed of, only by granting liberty to the petitioner to approach the State Commission and seek appropriate relief. No costs. The connected miscellaneous petition is closed.

WEB COPY **13.02.2020**

Index :Yes/No

Note:Issue order copy on 20.02.2020.

vri

K.RAVICHANDRABAABU,J.

To

- 1.The Public Information Officer,
Tamilnadu Archives & Historical Research Centre,
Egmore, Chennai 600 008.
- 2.The Public Information Officer/Assistant Director,
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- 3.The Public Information Officer/Deputy Tahsildar,
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