

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 30.09.2020
CORAM
THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU
W.P. No. 13589 of 2020

A. Perumal

... Petitioner

-vs-

1. The District Collector,
Villupuram,
Villupuram District.
2. The Block Development,
Officer (Village Panchayats)
Kanai Panchayat Union,
Kanai,
Villupuram District.
3. The Public-Information-Officer-cum-Deputy
Block Development Officer (Village Panchayats),
Kanai Panchayat Union,
Kanai,
Villupuram District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd respondent / public Information Officer to furnish the information sought for under RTI Application dated 29.04.2020 to the Petitioner.

For Petitioner : Mr. S. Udhayakumar

For Respondent : Mr. D. Sathyaraj (For R1 & R2)
Special Government Pleader

Mr. Niranjan Rajagopalan (For R3)
Standing Counsel

O R D E R
(through video conference)

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

2. The Petitioner has made an application dated 09.01.2020 under Section 6(1) of the Right to Information Act, 2005 (hereinafter referred to as the 'Act' for short) to the Third Respondent to furnish certain information. It is his grievance that neither the information has been furnished nor the appeal dated 14.02.2020 made under Section 19(1) of the Act to the Second Respondent for such failure has been disposed. Thereafter, the Petitioner has preferred Second Appeal under Section 19(3) of the Act dated 29.04.2020 before the First Respondent. Since no action has been taken by any of the Respondents for the information sought by him, the Petitioner has filed this Writ Petition seeking a direction to furnish the required information to him.

3. Learned Standing Counsel appearing for the Third Respondent, on instructions, states that the Second Appeal filed by the Petitioner has been taken on file as S.A. No. 5182 of 2020 and that it would be listed for hearing as per the chronological sequence of filing in due course. The said submission is placed on record.

4. The First Respondent shall expedite disposal of the aforesaid Second Appeal filed by the Petitioner, after giving due notice and hearing all parties concerned. At the same time, it is also incumbent upon the Third Respondent to furnish the information as sought by the Petitioner without broking any further delay and shall be reminded that such failure attracts the penalties and disciplinary action under Section 20 of Act, apart from awarding compensation under Section 19(8) of the Act, if it is ultimately found that the delay or refusal to furnish information is unjustified.

Accordingly, this Writ Petition is disposed with the aforesaid observations. No costs.

-s/d-
Assistant Registrar

True Copy
Sub-Assistant Registrar

dm/kv
To

1. The District Collector,
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+1 cc to M/s.S.Udayakumar Advocate sr32214

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aa02/11/2020