

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2020

CORAM

THE HONOURABLE MR.JUSTICE R. SURESH KUMAR

W.P. No. 13805 of 2020

Mr. Nithyaesh Natraj

... Petitioner

-vs-

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

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondent to dispose of the second appeal of the petitioner dated 24.07.2017 as earlier directed by this Hon'ble Court in W.P. No. 31388 of 2017 and reiterated in Contempt Petition No. 1977 of 2018.

For Petitioner : Mr. Nithyaesh Nataraj
party-in-person

For Respondent : Mr. Venkataswamy Babu

O R D E R

In this matter, the petitioner who appeared party-in-person seems to have sought for some information by his application dated 20.08.2016 from the concerned CPIO under the provisions of the RTI Act, since the same has not been considered and the information was not furnished, he seems to have preferred the Second Appeal before the Appellate Authority and became unsuccessful in getting information and it triggered him to approach respondent / CIC to file Second Appeal. Accordingly, the Second Appeal was filed on 25.01.2017 before the respondent / CIC and the same, according to the petitioner, was not disposed or decided and hence he approached this Court and filed Writ Petition and Contempt Petition, subsequently some orders have been passed, pursuant to which also, according to the petitioner, no orders have been passed, deciding the Second Appeal filed by the petitioner.

2. Only in that context, now Mr. Venkataswamy Babu, learned counsel appearing for the respondent / CIC has filed a

typed set of documents, where along with a memo, he filed the orders passed by the CIC in respect of the Second Appeal filed by the petitioner referred above.

3. The Said order according to the CIC has been passed on 05.04.2018 in Appeal No. CIC/DOEAF/A/2017/152509, wherein, a direction was given to the CPIO, who appeared before the CIC that, if at all, CPIO does not want to divulge the information sought for by the petitioner / Information Seeker on any specific reason within the meaning of the provisions of the RTI Act, that reason should be divulged and accordingly that communication should be sent to the petitioner / Information Seeker within a period of thirty days. The said order since has been passed by the CIC under the Second Appeal, which was disposed on 05.04.2018, the petitioner, in the considered opinion of this Court may not have any grievances to be agitated before this Court in this Writ Petition.

4. If at all any reason is given for not divulging the information sought for by the petitioner, pursuant to the order passed by the CIC, at any stage, if communication comes from CPIO to the petitioner, it is open to the petitioner to agitate the same in the manner known to law.

5. However, the present relief sought in this Writ Petition since has been accomplished on receiving the order dated 05.04.2018, filed now by way of typed set of papers by the respondent / CIC, this Court feels that no further adjudication required in this Writ Petition and no further orders need to be passed. By recording the aforesaid developments, this Writ Petition is disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CJ conf)

//True Copy//

Sub Assistant Registrar

vji

To

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

W.P. No. 13805 of 2020

KV(CO)
CB(11/01/2021)