

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2020

CORAM

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

W.P. No. 25961 of 2014

R.Balaji

... Petitioner

-vs-

1. The Tahsildar
Taluk Office
Thiruvallur Taluk
Thiruvallur.
 2. The Public Information Officer-cum
Head Quarters Deputy Tahsildar
Taluk Office, Thiruvallur
Thiruvallur District.
 3. The District Collector
Office of the District Collector
Thiruvallur District.
 4. The Public Information Officer-cum-
Personal Assistant to Collector
Thiruvallur District.
 5. The State Information Commissioner
State Information Commission
No.2, thiyagaraya Road
(Near Alayamman Temple)
Teynampet, Chennai - 600 018.
- ... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondents, more particularly the Second Respondent to supply the information as sought for by the Petitioner in his letter dated 11.02.2012 and as directed by the State Information Commission in its Order in No.52672/2012, dated 26.03.2013.

For Petitioner : Mr. Muthuvairam
for M/s.Arunachalam Associates

For Respondents: Mr. D.Sathyaraj (For R1 to R4)
Special Government Pleader

Mr. Niranjan Rajagopalan (For R5)

O R D E R
(through video conference)

Heard Mr. Muthuvairam, Learned Counsel for the Petitioner, Mr. D.Sathyaraj, Learned Special Government Pleader for the First to Fourth Respondents and Mr. Niranjan Rajagopalan, Learned Counsel for the Fifth Respondent, and perused the materials placed on record, apart from the pleadings of the parties.

3. The grievance sought to be ventilated by the Petitioner in this Writ Petition is that the order in No.52672/A/12 dated 26.03.2013 passed by the Fifth Respondent/State Information Commissioner with regard to furnishing the information has not been complied with.

4. Having due regard to the fact that the scheme devised in the Act requires the State Information Commission to ensure compliance of its orders, the Fifth Respondent ought to have fixed time frame for the First Respondent to comply with its directions passed on 26.03.2013 and posted the matter for reporting compliance. Since that exercise has not taken place, the Fifth Respondent shall list the aforesaid Second Appeal on 25.11.2020, and the Petitioner and the First Respondent shall appear for that hearing without fail. If the Fifth 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 Fifth Respondent shall verify whether the order has been complied by the First 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 concerned parties under written acknowledgement.

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

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1. The Tahsildar,
Taluk Office,
Thiruvallur Taluk,
Thiruvallur.
2. The Public Information Officer-cum
Head Quarters Deputy Tahsildar,
Taluk Office, Thiruvallur
Thiruvallur District.
3. The District Collector,
Office of the District Collector,
Thiruvallur District.
4. The Public Information Officer-cum-
Personal Assistant to Collector,
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srg 16/10/2020