

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2020

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.Nos.26494 & 26504 of 2019

K.Palani ... Petitioner in W.P.No.26494/2019

P.Thangavelu ... Petitioner in W.P.No.26504/2019

vs

1. Tamil Nadu State Information Commission,
No.2, Thiyagaraya Salai,
Near Alai Amman Koil,
Teynampet,
Chennai - 600 018.
2. The Public Information Officer,
The Additional Secretary to Government,
Appellate Authority,
Industries Department Secretariat,
Chennai - 600 009.
3. The Public Information Officer,
Joint Secretary to Government,
Industries Department,
Secretariat, Fort St.George,
Chennai - 600 009.
4. The Appellate Authority,
SIPCOT,
No.19-A, Rukumani Lakshmipathy Road,
Egmore,
Chennai - 8.
5. The Special Tahsildar (LA),
SIPCOT Oragadam Existing Scheme,
SIPCOT Pillaipakkam Project Office,
Kundrathur Main Road,
Sriperumpudur - 602 105. ... Respondents in both the W.Ps.

Writ Petitions filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus to direct the first respondent to take on file the appeal preferred by the petitioner under section 19(3) of the Right to Information Act in G.No.11358/C/19 and SR.No.11357/C/19 respectively and dispose of the same in accordance with law and take action against the 4th and 5th respondents to provide certain documents and information under RTI Act, as sought for by the petitioner in the applications within the stipulated time fixed by this Court.

For Petitioners: Ms.M.Senthil Vadivu

For Respondents: Ms.K.Swetha
for Mr.Niranjana Rajagopalan
for R1 in both the W.Ps.
Mr.D.Suriyanarayanan,
Additional Government Pleader
for R2, R3 & R5 in both the W.Ps
R4- No appearance.

C O M M O N O R D E R

Both these writ petitions are filed seeking for a Mandamus directing the first respondent to take the appeal preferred by the respective petitioner on file under Section 19(3) of the Right to Information Act and dispose of the same in accordance with law.

2. After notice, the matter is taken up today for further hearing.

3. Learned counsel appearing for the first respondent submitted that the appeal papers presented by the petitioners are defective one, as the required documents were not filed along with the same. Therefore, she submitted that the appeal papers were returned to the petitioners for representing the same after due compliance. Thus, she submitted that if the appeal papers are represented after making necessary compliance, the 1st respondent will consider the same and pass appropriate orders on merits and in accordance with law.

4. Learned counsel for the petitioners submitted that the 1st respondent has returned the papers repeatedly for the very same reason even though the petitioners had complied with the same. However, she admits that the appeal papers were returned and the same will be represented once again to the 1st respondent by making necessary compliance.

5. Considering the above stated facts and circumstances and without expressing any view on the merits of the matter, these Writ Petitions are disposed of as follows:

(a) The petitioner in each case will represent the appeal papers to the 1st respondent within a period of two weeks from the date of receipt of a copy of this order after making necessary compliance.

(b) On receipt of such appeal papers, the 1st respondent shall consider the same and pass appropriate orders on merits and in accordance with law.

No costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

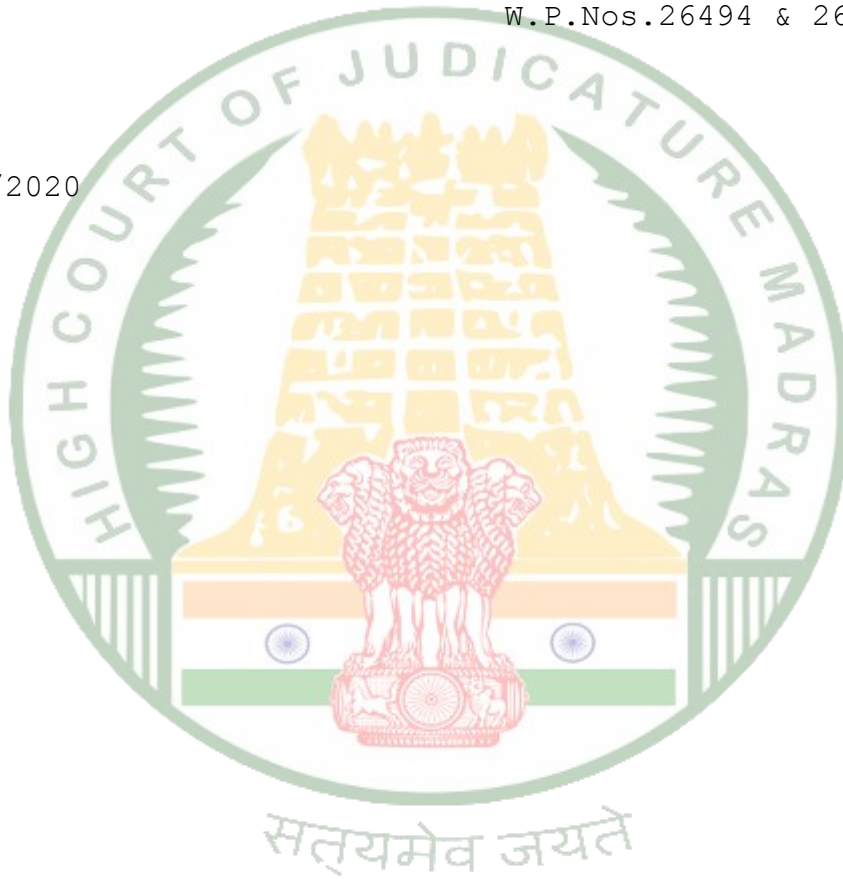
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Sriperumpudur - 602 105.

+1cc to Mr.M.Senthil Vadivu, Advocate Sr.1192
+1cc to M/s.G.R. Associates, Advocate Sr.1148

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pm[co]
srg 03/02/2020



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