



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

**W.P. (MD)No.13696 of 2020**

R.U.Krishna Raj

... Petitioner

Vs

1.The Tamil Nadu Information Commission,  
Represented by its Commissioner,  
No.2, Theagaraya Salai,  
Near Aalai Amman Koil,  
Teynampet, Chennai-600 018.

2.The District Revenue Officer,  
The Appellate Authority,  
Collectorate Campus,  
Theni-Madurai Highway,  
Theni District-625 531.

3.The Public Information Officer,  
The Tahsildar,  
O/o. The Tahsildar,  
Uthamapalayam Taluk,  
Theni District.

... Respondents

**PRAYER:** Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to dispose of the appeal preferred by the petitioner on 14.09.2020 and 22.09.2020 under Section 19(3) of the Right to Information Act, 2005, on the file of the second respondent to furnish the documents as per the request of the petitioner pertaining the revenue records pertaining to the lands in S.Nos.197/1B, 199 and 200/1, C.Pudhupatti Village, Uthamapalayam Taluk, Theni District, within the period stipulated by this Court.

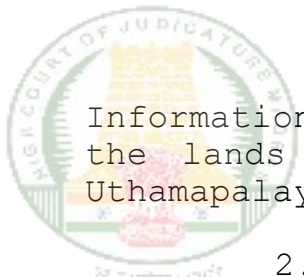
For Petitioner: Mr.T.Lajapathi Roy

For R-1 : Mr.K.K.Senthi

For R-2 & R-3 : Mr.C.Ramar  
Additional Government Pleader

**ORDER**

This Writ Petition has been filed for a Mandamus, seeking for a direction to the first respondent to dispose of the appeal preferred by the petitioner under the Right to Information Act, 2005 on 14.09.2020 and 22.09.2020, under Section 19(3) of the Right to



Information Act, 2005 pertaining to the revenue records, relating to the lands in S.Nos.197/1B, 199 and 200/1, C.Pudhupatti Village, Uthamapalayam Taluk, Theni District.

2. Heard Mr.T.Lajapathi Roy, learned counsel appearing for the petitioner as well as Mr.K.K.Senthil, learned Standing counsel appearing for the first respondent and Mr.C.Ramar, learned Additional Government Pleader appearing for the respondents 2 and 3.

3. By consent of both sides, this writ petition is taken up for final disposal at the admission stage itself.

4. Originally, the application was submitted before the third respondent on 30.06.2020. Since the petitioner did not receive any information as sought for by him within the time specified under Sub Section (1) or Clause (a) of Sub Section 3 of Section 7 of the Right to Information Act, 2005, therefore, he preferred an appeal before the second respondent under Section 19 of the Right to Information Act, 2005 on 08.08.2020. Thereafter, the second respondent through his proceedings dated 28.08.2020, had directed the third respondent to furnish the information sought for by the petitioner. According to the petitioner, no action was taken by the third respondent to furnish the relevant documents as directed by the second respondent. Thereafter, after completion of the statutory period, the petitioner had filed a Second Appeal under Section 19(3) of the Right to Information Act, 2005, before the first respondent on 14.09.2020. According to the petitioner, till date, no orders have been passed by the first respondent in the said Second Appeal. In such circumstances, this Writ Petition has been filed for a direction to the first respondent to dispose of the appeal preferred by the petitioner, within a time frame to be fixed by this Court.

5. The relief sought for by the petitioner is an innocuous relief and no prejudice will be caused to the respondents, if a direction sought for by the petitioner is granted by this Court. The petitioner seeks only for the early disposal of the Second Appeal, filed by him under the Right to Information Act, 2005, before the first respondent.

6. The learned Standing counsel appearing for the first respondent would submit that there are innumerable appeals pending before the first respondent under the Right to Information Act, 2005 and only on seniority basis, depending upon the year of the appeals, the first respondent will be in a position to dispose of the appeal. He would also submit that in similar matters, this Court has issued directions to the first respondent to dispose of the appeal based on the seniority of the case. Therefore, this Court is inclined to pass similar orders as was done by this Court in earlier matters filed by various other petitioners.



7. For the foregoing reasons, this Court directs the first respondent to dispose of the appeal preferred by the petitioner dated 14.09.2020 and 22.09.2020 under Section 19(3) of the Right to Information Act, 2005, which is now pending on the file of the first respondent, with regard to the request for furnishing of the documents pertaining to the revenue records in respect of the lands in Survey Nos.197/1B, 199 and 200/1, C.Pudhupatti Village, Uthamapalayam Taluk, Theni District, as per the seniority of cases. Considering the urgent request made by the petitioner, the first respondent is directed to dispose of the appeal filed by the petitioner as expeditiously as possible.

8. With the aforesaid directions, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

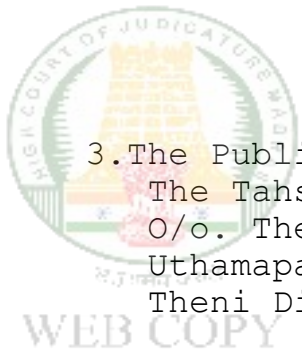
tsg

**Note:** In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

To

1.The Commissioner,  
Tamil Nadu Information Commission,  
No.2, Theagaraya Salai,  
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2.The District Revenue Officer,  
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3.The Public Information Officer,  
The Tahsildar,  
O/o. The Tahsildar,  
Uthamapalayam Taluk,  
Theni District.

+1 CC to M/s.K.K. SENTHIL, Advocate ( SR-19223[F] dated 06/10/2020 )

+1 CC to M/s.T. LAJAPATHI ROY, Advocate ( SR-19290[F] dated  
07/10/2020 )

+1 CC to SGP ( SR-19336[F] dated 07/10/2020 )

**W.P. (MD) No.13696 of 2020**

**06.10.2020**

**SS** (CO)

NR (21/10/2020) 4P : 7C