



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD)No.19139 of 2020

(Through Video Conference)

WEB COPY

S.Thangarathi

... Petitioner

Vs

The State Information Commissioner,
Tamil Nadu State Information Commission Office,
2, Thiyagaraya Salai, Aalai Amman Kovil,
Teynampet, Chennai-600 018.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to pass order on the petitioner's representation dated 27.10.2020 seeking to initiate action under Section 18 of Right to Information Act, 2005.

For Petitioner : Mr.E.Marees Kumar
For Respondent : Mr.K.K.Senthil,
Standing Counsel

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the respondent to pass orders on the petitioner's representation dated 27.10.2020 seeking to initiate action under Section 18 of the Right to Information Act, (hereinafter referred as 'RTI Act') within a time frame to be fixed by this Court.

2. Mr.K.K.Senthil, learned standing counsel accepts notice for the respondent. By consent of both sides, this writ petition is taken up for final disposal at the stage of admission itself.

3. By order dated 13.03.2020, the Second Appeal filed by the petitioner under the RTI Act was disposed of, in favour of the petitioner. According to the petitioner, despite the same, the information sought for by the petitioner has not been given. The petitioner has given a representation on 27.10.2020 seeking to initiate action against the erring officials under Section 18 of the RTI Act.

4. However, according to the learned counsel for the petitioner, ever since 2018, the information sought for by the petitioner has not been given and hence, there is some urgency in the matter. It is the further case of the petitioner that, till date, the said representation has not been considered. In such circumstances, this writ petition has been filed.



5. Heard Mr.E.Marees Kumar, learned counsel for the petitioner and Mr.K.K.Senthil, learned standing counsel for the respondent.

6. On instructions, the learned standing counsel for the respondent would submit that they are prepared to consider the petitioner's representation based on the seniority of the applications received by the respondent. According to him, several representations are still pending for consideration and therefore, only on seniority, they will be in a position to consider the petitioner's representation.

7. For the foregoing reason, this Court directs the respondent to consider the petitioner's representation dated 27.10.2020 filed under Section 18 of the RTI Act, 2005 within a period of six months from the date of receipt of a copy of this order.

8. With the aforesaid directions, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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:

The State Information Commissioner,
Tamil Nadu State Information Commission Office,
2, Thiyagaraya Salai,
Aalai Amman Kovil,
Teynampet, Chennai-600 018.

+1cc to K.K.Senthil Advocate, SR.No.27134.

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