



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD)No.19222 of 2020

(Through Video Conference)

WEB COPY

T.Venkatesan

... Petitioner

Vs

1.The Chief Information Commissioner,
Tamil Nadu Information Commission,
No.2, Thiyagaraya Salai,
Near Alayamman Kovil, Teynampket,
Chennai-600 018.

2.The First Appellate Officer / Chief Educational Officer,
Chief Educational Office,
Sivagangai, Sivagangai District.

3.The Public Information Officer,
District Educational Office,
Devakottai, Sivagangai District.

4.The District Educational Officer,
District Educational Office,
Devakottai, Sivagangai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent herein to take necessary action to expedite and dispose the second appeal filed by the petitioner in S.A.No.9116 of 2020 dated 16.10.2020 and another second appeal filed by the petitioner in S.A.No.9115 of 2020 dated 17.10.2020 on the file of the first respondent by considering the petitioner's earlier application under Right to Information Act.

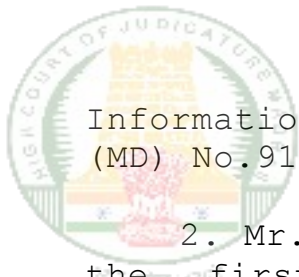
For Petitioner : Mr.S.Muthukumar

For R-1 : Mr.K.K.Senthil,
Standing Counsel

For RR 2-4 : Mrs.S.Srimathy,
Special Government Pleader

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the first respondent to expedite the disposal of two second appeals filed by the petitioner under the Right to



Information Act, (hereinafter referred to as 'RTI Act') viz. S.A. (MD) No.9116 of 2020 and S.A.(MD) No.9115 of 2020.

2. Mr.K.K.Senthil, learned standing counsel accepts notice for the first respondent and Mrs.S.Srimathy, learned Special Government Pleader accepts notice for the respondents 2 to 4. By consent of both sides, this writ petition is taken up for final disposal at the stage of admission itself.

3. It is the case of the petitioner that the aforementioned Second Appeals are pending on the file of the first respondent under the RTI Act. According to the petitioner, S.A.(MD) No.9116 of 2020 was filed on 16.10.2020 and S.A.(MD) No.9115 of 2020 was filed on 17.10.2020. It is the further case of the petitioner that under the RTI Act, he has sought for certain information as early as on 07.12.2019 which according to him, has not been given till date. In such circumstances, according to the petitioner, the aforementioned second appeals which are pending on the file of the first respondent have to be disposed of expeditiously. According to him, there is some urgency in getting the information. In such circumstances, this writ petition has been filed.

4. Heard Mr.S.Muthukumar, learned counsel for the petitioner, Mr.K.K.Senthil, learned standing counsel for the first respondent and Mrs.S.Srimathy, learned Special Government Pleader for the respondents 2 to 4.

5. On instructions, the learned standing counsel for the respondents would submit that, already there are lot of second appeals pending on the file of the first respondent for consideration and therefore, only on seniority, the first respondent will be able to dispose of the second appeals filed by the petitioner. However, it is the contention of the petitioner that there is some urgency in getting the information sought for by him under the RTI Act. Further, the said information was sought for by the petitioner under the RTI Act as early as in the year 2019 itself.

6. After giving due consideration to the aforementioned facts, this Court is of the considered view that the second appeals filed by the petitioner in S.A.(MD) No.9116 of 2020 and S.A.(MD) No.9115 of 2020 have to be disposed of by the first respondent within one year from the date of receipt of a copy of this order.

7. In the result, this Court directs the first respondent to pass final orders in S.A.(MD) No.9116 of 2020 and S.A.(MD) No.9115 of 2020 filed by the petitioner on merits and in accordance with law within a period of one year from the date of receipt of a copy of this order.



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

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// True Copy //

Sd/-

Assistant Registrar (CS-I)

/ /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:

- 1.The Chief Information Commissioner,
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Devakottai, Sivagangai District.

+1 cc to Mr.K.K.Senthil , Advocate SR.No.27132

Order made in
W.P. (MD)No.19222 of 2020

Dated:
23.12.2020

KM (07.01.2021) 3P 6C