



WEB COPY

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 01.09.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.10521 of 2016

S.Sankaralingam

...Petitioner

Vs

1. The State Information Commissioner,
O/o. Tamil State Information Commission,
Teynampet, Chennai - 600 018.

2. The Public Information Officer,
O/o. Madhavaram Tahsildar,
Madhavaram, Chennai - 600 060.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to furnish the information as per petitioner application dated 12.07.2014 u/s.6(1) of the RTI Act.

For Petitioner : Mr.B.Suresh Kumar

For R1 : Mr.Niranjana Rajagopalan

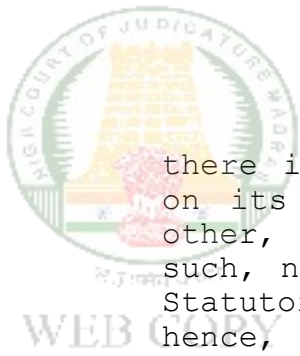
For R2 : Mr.K.Tippu Sulthan,
Government Advocate

ORDER

By consent of both the parties, this writ petition is taken up for final disposal.

2. The petitioner's grievance is that though he had made an application to the second respondent herein under Section 6(1) of the Right to Information Act, 2005, dated 12.07.2014, seeking for certain information, the same was not considered and hence, the present writ petition has been filed. It is seen that the petitioner has also made representations in this regard on 27.08.2015, 07.10.2015 and 09.11.2015 to the first respondent herein.

3. It is needless to point out that whenever an application/representation of this nature is made to a Statutory Authority,



there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the application/representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

4. In the light of the above observations, it would be appropriate to direct the respondents herein to consider the petitioner's application, within a stipulated time and thereby, the ends of justice could be secured. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the respondents to consider the same on its own merits.

5. Accordingly, there shall be a direction to the respondents herein to consider the petitioner's application dated 12.07.2014, if not already considered, on its own merits and pass appropriate orders in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. The Writ Petition stands disposed of, accordingly. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

hvk

To

1. The State Information Commissioner,
O/o. Tamil State Information Commission,
Teynampet, Chennai - 600 018.
2. The Public Information Officer,
O/o. Madhavaram Tahsildar,
Madhavaram, Chennai - 600 060.

+1cc to the Government Pleader Sr No.44294
+1cc to M/s.G.R.Associates, Advocates Sr No.44132

W.P.No.10521 of 2016

SSV (CO)
PR (14/09/2021)