



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2021

CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. No. 32328 of 2017

M. Loganathan

.. Petitioner

Versus

1. Tamil Nadu Information Commission
No.2, Sir Thiyagaraya Road,
Eldams Road, Teynampet,
Chennai 600 018.

2. The Registrar and Appellant Authority,
No.2, Sir Thiyagaraya Road,
Eldams Road, Teynampet,
Chennai 600 018.

3. The Public Information Officer cum Sub-Registrar,
No.2, Sir Thiyagaraya Road,
Eldams Road, Teynampet,
Chennai 600 018.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to dispose of the second appeal preferred under Section 19(3) of the Right to Information Act 2005, dated 10.10.2012 in accordance with law and within the time frame fixed by this court.

For Petitioner :Mr. Sureshkumar
for Mr.K.M.Vijayan Associates

For Respondents :Mr. G. Niranjan Rajagopalan

ORDER

This writ petition has been filed seeking to issue a Writ of Mandamus directing the first respondent to dispose of the second appeal preferred under Section 19(3) of the Right to Information Act 2005, dated 10.10.2012 in accordance with law and within the time frame fixed by this court.



2. The petitioner submitted an application dated 23.07.2012 under Section 7(1) of Right to Information Act, 2005 before the third respondent seeking to furnish certain information in relation to the vacancies exist in the Commission and details relating thereto. However, the Public Authority did not consider the application of the petitioner within the mandatory period of 30 days. Therefore, the petitioner preferred a first appeal before the second respondent on 01.09.2012. But the second respondent also did not provide any information, as sought for by the petitioner, within the time limit specified in the Act. Therefore, the petitioner was constrained to file a second appeal before the first respondent on 10.10.2012, which is also pending. It is in those circumstances, the petitioner has filed the present writ petition before this Court.

3. Heard the learned counsel appearing for the petitioner and the learned counsel for the respondents and also perused the material records.

4. According to the petitioner, the respondents did not respond to the application submitted by him seeking certain information under the Right to Information Act. The second appeal filed by him, before the first respondent on 10.10.2012 is also pending. Having regard to the above facts, this court is inclined to issue a direction to the first respondent. Accordingly, the first respondent is directed to dispose of the second appeal filed by the petitioner on 10.10.2012, if not disposed of earlier, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the aforesaid direction, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

mst/rsh

To

1. Tamil Nadu Information Commission,
No.2, Sir Thiyagaraya Road,
Eldams Road, Teynampet, Chennai 600 018.



2. The Registrar and Appellant Authority,
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3. The Public Information Officer cum Sub-Registrar,
No.2, Sir Thiyagaraya Road,
Eldams Road, Teynampet,
Chennai 600 018.

+1cc to Mr.K.M.Vijayan Associates Advocate, S.R.No.48018

+1cc to Mr.G.R.Associates , Advocate, S.R.No.48668

+1cc to the Government Pleader, S.R.No.48627

WP No. 32328 of 2017

RGN(CO)
CB(13/10/2021)