



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.09.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD).No.16717 of 2021

D.Mariammal

... Petitioner

Vs.

1.The District Collector,
Tuticorin District.

2.The Programme Officer, (Public Information Officer)
ICDS, Tuticorin District.

3.The State Information Commisssioner,
Tamil Nadu Information Office,
No:2, Thiyagaraya Road,
Near Alayamman Temple,
Thenampettai,
Chennai -600018.

4.Gnanaselvi

... Respondents

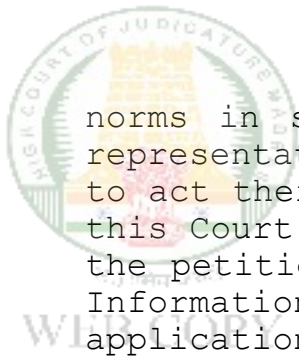
Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the third respondent to dispose of the appeal filed before the State Information Commissioner on 27.05.2021 with regard to furnish the order copy dated 09.09.2017 appointing the fourth respondent herein as Anganvadi Worker, at Vadakku Nallur Village, Tiruchendur Taluk, Tuticorin District.

For Petitioner	: Mr.S.Siva Thilakar
For R1 & R2	: Mr.K.S.Selva Ganesan
	Counsel for State
For R3	: Mr.K.K.Senthil

ORDER

The petitioner seeks a direction to the second respondent to furnish the appointment order dated 09.09.2017 of the third respondent as Anganvadi Worker at Vadakku Nallur Village, Tiruchendur Taluk, Tuticorin District on the basis of her representation dated 16.03.2021.

2.The petitioner states that she applied for the post of Anganvadi Worker in the Primary Centre. Pursuant thereto, she attended an interview on 09.09.2017. The petitioner alleges that she was not given the appointment in spite of being qualified, whereas the fourth respondent was appointed in violation of the eligibility



norms in such regard. Therefore, the petitioner submitted several representations. In view of the failure of the respondents concerned to act thereon, the petitioner filed W.P.(MD).No.2807 of 2021 before this Court. By order dated 15.02.2021, this Court granted liberty to the petitioner to approach the second respondent under the Right to Information Act, 2005. Pursuant thereto, the petitioner filed an application on 16.03.2021 and an appeal thereafter. The present writ petition is filed in these facts and circumstances.

3.Mr.K.S.Selva Ganesan, learned counsel for the State, accepts notice for the first and second respondents and Mr.K.K.Senthil, learned Standing Counsel, accepts notice for the third respondent. Mr.K.K.Senthil submits that there are a very large number of requests for information pending at this juncture and that such requests are being considered in order of receipt thereof. Subject to the said submission, he states that the petitioner's request will be considered and disposed of in accordance with law.

4.The Right to Information Act, 2005, enables a person to request for information from a public authority as defined therein. Upon such request, the public authority concerned is under an obligation to either provide the information requested for or indicate cogent reasons for refusing to provide such information either under the exemption indicated in Section 8 or in view of the fact that it is third party information, which is subject to the rigours of Section 11 thereof.

5.Accordingly, without going into the merits of the matter, the third respondent is directed to consider the petitioner's appeal dated 27.05.2021 and dispose of the same in accordance with law after providing a reasonable opportunity to the petitioner and the fourth respondent. Such representation shall be disposed of in accordance with the order in which such requests have been received by the third respondent, preferably within a period of six (6) months from the date of receipt of a copy of this order.

6. W.P.(MD).No.16717 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (Records)

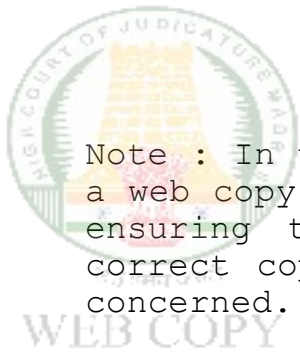
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Sub Assistant Registrar(CS)

Sn/Sji

<https://hcservices.ecourts.gov.in/hcservices/>



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 District Collector,
Tuticorin District.
- 2.The Programme Officer, (Public Information Officer)
ICDS, Tuticorin District.
- 3.The State Information Commisssioner,
Tamil Nadu Information Office,
No:2, Thiyagaraya Road,
Near Alayamman Temple,
Thenampettai,
Chennai -600018.

+1 CC to M/s.S.SIVA THILAKAR, Advocate (SR-29511[F] dated 17/09/2021)

+1 CC to M/s.K.K.SENTHIL, Advocate (SR-29503[F] dated 17/09/2021)

+1 CC to M/s.SPL. GP (SR-29586[F] dated 20/09/2021)

W.P (MD) .No.16717 of 2021
17.09.2021

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