



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.07.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P (MD)No.11172 of 2021

S.M.A.Pon Gandhimathi Nathan

... Petitioner

Vs.

1.The State Information Commissioner,
Tamil Nadu Information Commission,
No.2, Theagaraya Salai,
Near Aalai Amman Kovil,
Teynampet, Chennai - 600 018.

2.The Appellate Authority / Sub Collector,
District Collectorate Campus,
Thoothukudi District.

3.The Public Information Officer /
Personal Assistant to Sub Collector,
District Collectorate Campus,
Thoothukudi District.

4.Venkadachalam

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent No.1 to issue appropriate orders against the respondent No.4 under Section 20 of the Right of Information Act, 2005 and consequently issue direction to the respondent No.3 to provide information and relied documents to the petitioner as per the order in S.A.No.4542/B/2017 dated 21.08.2020, passed by the respondent No.1 within the time stipulated by this Court.

For Petitioner : Mr.I.Pinaygash

For Respondents : Mr.K.K.Senthil for R1

Mr.Lingadurai,
Government Advocate R2 & R3

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the first respondent to take action against the fourth respondent under Section 20 of the Right to Information Act, 2005, based on the representation made by the petitioner on 29.09.2020.



2. Heard Mr.I.Pinaygash, learned counsel appearing for the petitioner, Mr.K.K.Senthil, learned counsel appearing for the first respondent and Mr.M.Lingadurai, learned Government Advocate appearing for the respondent Nos.2 and 3.

3. When the matter came up for admission on 06.07.2021, this Court directed the learned Government Advocate to take instructions and report before this Court. When the matter was taken up for hearing today, the learned Government Advocate submitted that necessary information has been furnished to the petitioner through a letter dated 21.09.2020.

4. In reply to the said submission, the learned counsel for the petitioner submitted that the information that was submitted on 21.09.2020 was not in compliance with the request made by the petitioner and therefore, the petitioner had made a representation before the first respondent seeking to take action against the fourth respondent under Section 20 of the Right to Information Act, 2005.

5. The learned counsel appearing on behalf of the first respondent submitted that the representation made by the petitioner on 29.09.2020 will be considered by the first respondent and it will be acted upon in accordance with law.

6. Taking into consideration the facts and circumstances of the case and the submissions made on either side, there shall be a direction to the first respondent to act upon the representation made by the petitioner on 29.09.2020 and deal with the same on its own merits and in accordance with law and pass appropriate orders within a period of six (6) weeks from the date of receipt of a copy of this order after affording opportunity to the petitioner and the fourth respondent.

7. This Writ Petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (Crl)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg

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

<https://hcservicescentre.gov.in/hcservices> concerned.



To:

1.The Appellate Authority / Sub Collector,
District Collectorat Campus,
Thoothukudi District.

2.The Public Information Officer /
Personal Assistant to Sub Collector,
District Collectorat Campus,
Thoothukudi District.

3. The Public Information Officer,
Personal Assistant to Sub Collector,
District Collectorat Campus,
Thoothukudi District.

+1 CC to M/s.K.K.SENTHIL, Advocate (SR-23448[F] dated 22/07/2021)

+1 CC to M/s.GP (SR-23704[F] dated 23/07/2021)

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22.07.2021

LS (CO)

LR (02.08.2021) 3P 6C