



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2021

CORAM :

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**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM  
AND  
THE HONOURABLE MRS.JUSTICE S.ANANTHI**

W.P. (MD) No.8750 of 2019  
and  
WMP (MD) .No.6806 of 2019

V.Sivakumar

.. Petitioner

Vs

1. The State Information Commission,  
rep. by its Commissioner,  
No.2, Thiyagaraya Street,  
Teynampet, Chennai - 600 018.
2. The Appellate Authority-cum-  
Superintending Engineer,  
TANGEDCO,  
144, Anna Salai,  
Chennai - 600 002.
3. The Public Information Officer-cum-  
Executive Engineer,  
TANGEDCO,  
144, Anna Salai,  
Chennai - 600 002.

[R2 and R3 cause title amended  
vide Court order dated 09.02.2021 in  
WMP(MD).No.7594 of 2019  
in WP(MD).No.8750 of 2019]

... Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Mandamus, directing respondents to furnish the information as sought by the petitioner vide application dated 18.11.2017 and thereby punish the respondents 2 and 3 for non furnishing of information within the stipulated period as contemplated under the Right to Information Act,2005.

For Petitioner

: Mr.G.Thalaimutharasu

For respondents

: Mr.K.K.Senthil for R1

Mr.T.Sakthi Kumaran for R2,3



**ORDER**

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

Heard Mr.G.Thalaimutharasu, learned Counsel appearing for the petitioner, Mr.K.K.Senthil, learned Counsel appearing for the first respondent and Mr.T.Sakthi Kumaran, learned Counsel appearing for the third respondent.

2. With the consent of either Counsel, the writ petition is taken up for final disposal.

3. The writ petitioner seeks for a direction upon the first respondent-State Information Commission, to furnish the information sought for by the writ petitioner and punish the respondents 2 and 3 for not furnishing the information within the time frame, in terms of the provisions of the Right to Information Act, 2005.

4. The learned Counsel appearing for the petitioner made serious allegation with regard to the recruitment done to the post of Technical Assistant in the respondent-Electricity Board and as to how the information is very relevant for the petitioner, as he has been unreasonably dealt with.

5. The learned Counsel appearing for the respondent-Electricity Board has referred to an elaborate counter affidavit filed by the Chief Engineer (Personnel) and submitted that the information sought for by the writ petitioner is dating back to the year 2009 and he would also submit that all the allegations made by the petitioner against the Board and its Officers are not tenable.

6. Mr.K.K.Senthil, learned Counsel appearing for the first respondent-State Information Commission, on instructions, submitted that the Commission has taken up the matter on 11.02.2021 and a show cause notice has been issued to the officials of the respondent-Electricity Board and a sum of Rs.10,000/- (Rupees Ten Thousand only) has also been imposed as fine and the matter is enquired into and the Commission will conclude at the earliest.

7. In the light of the above, while leaving all issues open, we request the State Information Commission to dispose of the matter as expeditiously as possible and the respondent-Electricity Board is directed to submit their reply to the show-cause notice and participate effectively in the proceedings before the Commission.

8. The writ petition stands disposed of, accordingly. No costs. Consequently, connected miscellaneous petition is closed.



Sd/-

Assistant Registrar (AS)

// True Copy //

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/ /2021

Sub Assistant Registrar(CS )

*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 Commissioner,  
State Information Commission,  
No.2, Thiyagaraya Street,  
Teynampet, Chennai - 600 018.

+1 CC to M/s.K.K.SENTHIL, Advocate ( SR-17024[F] dated 22/04/2021 )

+1 CC to M/s.T.SAKTHI KUMARAN, Advocate ( SR-17081[F] dated 22/04/2021 )

+1 CC to M/s.G.THALAIMUTHARASU, Advocate ( SR-17254[F] dated 23/04/2021 )

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