



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.09.2021

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P. (MD)No.15436 of 2021

WEB COPY

K.Revathy

... Petitioner

Vs.

1. The State Information Commissioner,
The Tamil Nadu State Information Commission,
Thenampet, Chennai - 600 018.
2. The District Collector
Karur District, Karur.
3. The Appellate Authority (Public Information),
Block Development Officer,
Thogaimalai Panchayat Union,
Thogaimalai, Kulithalai,
Karur - 621 313.
4. The Public Information Officer/
The Deputy Block Development Officer,
Thogaimalai Panchayat Union,
Thogaimalai, Kulithalai,
Karur - 621 313.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the fourth respondent to furnish forthwith the information sought for by the petitioner in her application to him dated 09.09.2019 under the Right to Information Act, 2005, as ordered by the first respondent State Information Commissioner dated 06.10.2020 in SA.12230/B/2019 together penalty as presented under Section 20 of the Act.

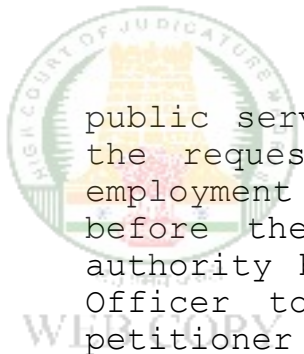
For Petitioner : Mr.K.Ragatheesh Kumar
for M/s.Isaac Chambers
For Respondents : Mr.K.K.Senthil, for R1
Mr.P.Subbaraj,
Counsel for State for R2 to R4

O R D E R

The petitioner seeks information about one S.Palaniyammal, who is an employee of the fourth respondent.

2. The petitioner states that she had filed a RTI application requesting for information in relation to the aforesaid

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public servant. By letter dated 20.09.2019, she was informed that the requested information would be provided after obtaining the employment register. Therefore, the petitioner filed a first appeal before the District Collector, Karur. Thereafter, the appellate authority by order dated 31.10.2019 directed the Block Development Officer to provide the information. In such circumstances, the petitioner filed a second appeal before the first respondent. By order dated 06.10.2020, the first respondent directed that the information requested for be provided on or before 08.11.2020 and, in the event of default, the petitioner was permitted to re-approach the first respondent. Once again, such information was not provided. Therefore, after submitting a representation dated 02.11.2020 and reminder dated 07.05.2021, the present writ petition is filed.

3. Mr.K.K.Senthil, learned counsel, accepts notice on behalf of the first respondent and Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of respondents 2 to 4.

4. Mr.K.K.Senthil submits that the first respondent may be directed to consider and dispose of the pending appeal expeditiously. However, in view of the enormous workload, he submits that it may be difficult to dispose of such appeal in a short time.

5. In the aforesaid facts and circumstances, the petitioner has made out a case for the expeditious disposal of the appeal filed before the first respondent. Although learned counsel for the first respondent makes a request that no time frame be fixed in such connection, no useful purpose would be served unless a specific time frame is fixed.

6. Accordingly, W.P.(MD)No.15436 of 2021 is disposed of by directing the first respondent herein to consider the petitioner's appeal and pass a reasoned order thereon within a period of four (4) months from the date of receipt of a copy of this order. Such reasoned order shall be issued after providing a reasonable opportunity to the petitioner and any other persons who would be affected by such decision. There will be no order as to costs.

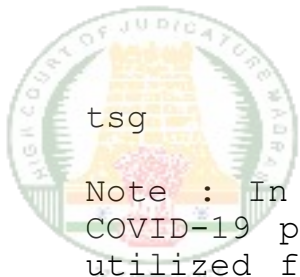
Sd/-

Assistant Registrar (CS-I)

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/ /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 advocate/litigant concerned.

To

1. The State Information Commissioner,
The Tamil Nadu State Information Commission,
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2. The District Collector
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Karur - 621 313.

+1 CC to M/s.K.K.SENTHIL, Advocate (SR-27795[F] dated 01/09/2021)

+1 CC to M/s.ISAAC CHAMBERS, Advocate (SR-27934[F] dated 02/09/2021)

+1 CC to M/s.SPL GP (SR-27895[F] dated 02/09/2021)

W.P. (MD) No.15436 of 2021
01.09.2021

PS (CO)

KB(08.09.2021) 3P 8C