



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 08.09.2021

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD).No.16034 of 2021

Palanisamy

... Petitioner

Vs.

1.The Superintendent/Public Information Officer,
District Rural Development Agency,
Sivagangai District,
Sivagangai.

2.The Deputy Block Development Officer/
Public Information (Village Panchayat) Officer,
S.Puthur Panchayat Union,
Sivagangai District.

3.The village Panchayat Sectetary,
Varappur Village Panchayat,
S. Puthur panchayat Union,
Sivagangai District.

... Respondents

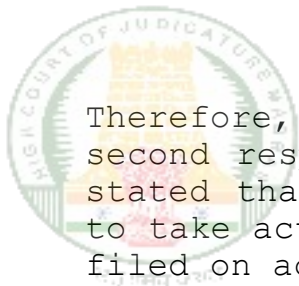
Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second and third respondents to comply the order of the first respondent vide his proceedings in Na.Ka. TA2/1152/2020 dated 04.05.2020 within time frame fixed by this Court.

For Petitioner : M/S. T. Vadivelan
For Respondents 1&3 : Mr. P. Subbaraj
Counsel for the State
For R2 : Mr. D. Gandhiraj

ORDER

The petitioner seeks a direction to the second and third respondents to comply with the order of the first respondent dated 04.05.2020

2. The petitioner states that Government funds sanctioned to the Varappur Village Panchayat were misappropriated by the then office bearers. Therefore, the petitioner had requested for information in this connection by an application dated 29.01.2020. The said application was forwarded to the second respondent by proceedings dated 04.05.2020. The petitioner alleges that the second respondent did not comply with the order of the first respondent.



Therefore, the petitioner submitted another application to the second respondent on 25.03.2021. By letter dated 27.03.2021, it is stated that the second respondent called upon the third respondent to take action on the petitioner's application. The writ petition is filed on account of the failure to take action thereon.

WEB COPY

3. Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of all the respondents. He submits that the petitioner's request may be directed to be disposed of within a reasonable time frame.

4. When information is requested for under the Right to Information Act, the authority concerned is under an obligation to provide such information unless it is exempted under the statute. In any event, the person requesting such information should be informed within a reasonable time frame as to whether such information is being provided and if not, the reasons for refusing or failing to provide such information should be specified.

5. Subject to the above observations, the second and third respondents are directed to consider the petitioner's request dated 25.03.2021 and provide a reasoned response thereto within a period of two months from the date of receipt of a copy of this order. Before providing such reasoned response, the earlier communication in such regard from the first respondent may be taken into account.

6. W.P.(MD).No.16034 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sbn

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 Superintendent/Public Information Officer,
District Rural Development Agency,
Sivagangai District,
Sivagangai.



2.The Deputy Block Development Officer/
Public Information (Village Panchayat) Officer,
S.Puthur Panchayat Union,
Sivagangai District.

3.The village Panchayat Secretary,
Varappur Village Panchayat,
S. Puthur panchayat Union,
Sivagangai District.

+1 CC to M/s.D.GHANDI RAJ, Advocate (SR-28767[F] dated 09/09/2021)
+1 CC to M/s.GP (SR-28692[F] dated 09/09/2021)

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08.09.2021

RD(16.09.2021) 3P 6C