



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO. 907 of 2022

G.Raja

...Petitioner

Vs

1. The District Collector,
The District Collector Office,
Cuddalore-607 001.
2. The Commissioner,
Nellikuppam, Municipality,
Nellikuppam,
Cuddalore District-607 105.
3. The Executive Engineer,
Water Resources Department,
Vellar Basin Division,
Virudhachalam-606 001.
4. The Tahsildar,
Panrutti Taluk Office,
Cuddalore District-607 106.
5. EID Parry Indian Limited,
No.138, Arungunam Kuchipalayam Road,
Nellikuppam, Panrutti,
Panrutti Taluk,
Cuddalore District-607 105

....Respondents

PRAYER:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to dispose the representation of the petitioner dated 28.01.2021 under RTI and to direct the 2nd respondent to furnish the details sought by petitioner on 15.09.2021 under RTI.

For petitioner : Mr. J. Harikrishna



For Respondents

: Mrs. C. Sangamithirai,
Special Government Pleader
for R1-R4

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ORDER

The present petition has been filed seeking a direction to the respondents to furnish the information as sought for by the petitioner within the time stipulated by this Court.

2. Mrs. C. Sangamithirai, learned Special Government Pleader takes notice for respondents 1 to 4.

3. It is the case of the petitioner that despite several representations made under Right To Information Act, the information sought for by the petitioner pertaining to illegal encroachment of canals in Nellikuppam Municipality by some private parties, was not provided with by the respondents 1 & 2. Thereafter, the petitioner made a representation dated 28.01.2021 to the 1st respondent to take necessary action against the 2nd respondent for not providing the information as sought for and to issue a direction to the 2nd respondent to furnish the information sought for by the petitioner. However, till date, the same has not been considered. Hence, the petitioner has come up with the present petition with the aforesaid relief.

4. Though very many grounds have been raised, learned counsel appearing for the petitioner submits that it would suffice if this Court issues a direction to the 1st respondent to consider the representation dated 28.01.2021 and dispose of the same in accordance law within the time stipulated by this Court.

5. Learned Additional Government Pleader appearing for the respondents submits that the petitioner may file appeal before the appellate authority and the same will be considered and disposed of in accordance with law within a period of two weeks.

6. Taking into consideration the submission made by the learned Additional Government Pleader appearing for the respondents, this Court without going into the merits of the case, directs the petitioner to file appeal before the appellate authority within a period of two weeks from the date of receipt of a copy of this order and on such appeal being filed, the Appellate Authority herein is directed to consider the said appeal and dispose of the same in accordance with law within a period of two weeks thereafter.



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7. With the aforesaid direction, this Writ Petition is disposed of. No Costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

NHS

To

1. The District Collector,
The District Collector Office,
Cuddalore-607 001.
2. The Commissioner,
Nellikuppam, Municipality,
Nellikuppam,
Cuddalore District-607 105.
3. The Executive Engineer,
Water Resources Department,
Vellar Basin Division,
Virudhachalam-606 001.
4. The Tahsildar,
Panrutti Taluk Office,
Cuddalore District-607 106.

+2ccs to Mr. J. Harikrishna, Advocate, S.R.No.5425
+1cc to the Government Pleader, S.R.No.5151

W.P.NO. 907 of 2022

SR(CO)
CT(02/03/2022)