



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2022

CORAM:

THE HON'BLE MR. JUSTICE M.GOVINDARAJ

W.P.No.27430 of 2013

P.Muthu

... Petitioner

vs.

1. The Assistant Director (Village Panchayats),
Office of the District Collector,
Villupuram District - 605 602.
2. The Public Information Officer,
Panchayat Union Office,
Sankarapuram, Villupuram District - 606 401.
3. The Public Information Officer and the Village President,
Mungilthurai pattu Village,
Sankarapuram Taluk, Villupuram District - 605 702.

[R3 impleaded as per order dated
07.03.2014 in MP.No.1 of 2013
in W.P.No.27430 of 2013]

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 2nd respondent to furnish the information sought for by the petitioner vide his application dated 14.03.2013 filed under the Right to Information Act, 2005, which has been forwarded to him by the 1st respondent, vide his letter dated 25.04.2013 in Na.Ka.A7/1501/2013 at the earliest.

For Petitioner : Mr.Hari Radhakrishnan

For Respondents: Mr.Tippu Sultan, Government Advocate

O R D E R

This Writ Petition has been filed seeking a Writ of Mandamus directing the 2nd respondent to furnish the information sought for by the petitioner vide his application dated 14.03.2013 filed under the Right to Information Act, 2005, which has been forwarded to him by the 1st respondent, vide his letter dated 25.04.2013 in Na.Ka.A7/1501/2013 at the earliest.



2. The petitioner filed an application dated 14.03.2013 seeking certain information under the Right to Information Act. Since it was not provided, he preferred an appeal on 12.04.2013. Thereafter, he preferred a second appeal before the State Information Commission, wherein, he sought for a direction to the 2nd respondent to furnish the information which he had sought for. In the mean while, the 1st respondent directed the concerned Public Information Officer to provide information to the petitioner by his letter dated 25.04.2013 and a communication was sent to the petitioner on 14.06.2013 to collect information from the 2nd respondent. However, the petitioner, without approaching the 3rd respondent, has preferred the above writ petition on 26.09.2013.

3. From a perusal of the records, it is noted that the petitioner made an application on 14.03.2013 under the Right to Information Act and as per the Act 30 days time is provided to the Public Information Officer to provide information, without waiting till the lapse of 30 days period, the petitioner preferred an appeal and in spite of the letter dated 14.06.2013 to collect the information from the 3rd respondent, he has filed an appeal to the State Information Commission and without waiting for disposal of the second appeal he had approached this Court.

4. Due to the impatience and irresponsible attitude of the petitioner, this pre-mature writ petition came to be filed and when the appeal is pending before the appellate forum, the writ petition is not maintainable. However, it is noted that the respondent sent a letter dated 14.06.2013 informing him to collect the required information on payment of certain charges, but, the petitioner after receiving the letter visited the office of the 3rd respondent, on 24.06.2013 gathered all the information. Therefore, I find that nothing survives for further adjudication in this writ petition.

5. The writ petition as such is pre-mature and is not maintainable, according it is dismissed. No costs. The petitioner is at liberty to collect the information from the 3rd respondent office.

Sd/-

Assistant Registrar(CS IV)

True Copy//

Sub Assistant Registrar



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+1cc to the Government Pleader, S.R.No.16258

W.P.No.27430 of 2013

RK[co]
NSK/02/06/2022