



W.P.No.27640 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.27640 of 2022

Vadivel

.... Petitioner

-Vs-

1.The Chairman

Tamil Nadu State Information Commission
Block No.19, Government Form Village
Panapet, Nanthanam, Chennai 600 035.

2.The Information Officer

Inspector, Civil Supplies Crime Investigation
Department, Super Nagar, Perambalur District.

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st respondent to dispose of the RTI appeal dated 31.12.2021 preferred by the petitioner.

For Petitioner : Mr.I.Velpradeep
For Respondents : Mr.C.Vigneswaran
Standing Counsel - for R1
Mr.A.Selvendran
Special Government Pleader – for R2

ORDER

The prayer sought for herein is for a Writ of Mandamus directing the 1st respondent to dispose of the RTI appeal dated 31.12.2021 preferred by the petitioners.



W.P.No.27640 of 2022

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2. The petitioner made an RTI query to the second respondent on 05.11.2021, however the same has not been considered and no information has been furnished for a long time. Therefore, the petitioner has chosen to prefer an appeal before the first respondent on 31.12.2021 and the said appeal also is still pending and no decision has been made by the first respondent to dispose of the said appeal. Hence, the petitioner has moved the present writ petition with the aforesaid prayer.

3. Heard Mr.I.Velpradeep learned counsel for the petitioner, Mr.C.Vigneswaran learned Standing Counsel for the first respondent and Mr.A.Selvendran, learned Special Government Pleader for the second respondent.

4. Learned Standing Counsel for the first respondent would submit that, as against the inaction if any one wants to file appeal on the part of the second respondent, appeal could have been filed before the appellate authority in the very same organization. Anyhow, now since a second appeal has been filed before the first respondent Commission, the same would be considered and decided on merits and in accordance with law within a reasonable time that may be fixed by this Court.



W.P.No.27640 of 2022

WEB COPY

5. Considering the aforesaid submissions made by the learned counsel on either side, this Court is inclined to dispose of this writ petition with the following order.

“That there shall be a direction to the first respondent to consider the appeal submitted by the petitioner under RTI Act on 31.12.2021 against the inaction on the part of the second respondent in furnishing the information sought for by the petitioner through his application made on 05.11.2021 and pass orders thereon on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.”

6. With the above directions, this writ petition is disposed of. No costs.

17.10.2022

Index : Yes/No
Internet : Yes/No
KST
To

- 1.The Chairman, Tamil Nadu State Information Commission, Block No.19, Government Form Village, Panapet, Nanthanam, Chennai 600 035.
- 2.The Information Officer, Inspector, Civil Supplies Crime Investigation



W.P.No.27640 of 2022

Department, Super Nagar, Perambalur District.

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W.P.No.27640 of 2022

R. SURESH KUMAR, J.

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W.P.No. 27640 of 2022

17.10.2022