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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.12.2022

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.33261 of 2022

and

W.M.P.No.32695 of 2022

V.Mahendran

.. Petitioner

Vs.

1.The Tamil Nadu State Information Commission,
O/o. the State Information Commission,
No.2, Thiyagaraya Road,
Near Aalaianman Kovil,
Teynampettai, Chennai - 600 108.

2.The Assistant Director (Panchayat)/Appellate Authority,
Office of the District Collector,
Trichy – 1.

3.The Appellate Authority,
Regional Development Panchayat Office,
Anthanalur Panchayat Union,
Trichy – 1.

4.The Public Information Officer / Panchayat Secretary,
Panchayat Officer, Kambarasampettai,
Andhanallur Union,
Trichy District,
Trichy - 620 101.

.. Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records in order passed in G66663/F/2022 dated 27.10.2022 passed by the 1st respondent and quash the same and consequentially direct the 3rd respondent to furnish the information and copies of the documents claimed by the petitioner in his application submitted under the Right to Information Act, 2005 dated 06.07.2022.

For Petitioner .. Mr.M.A.Mathew Berchmans

For Respondents .. Mr.C.Vigneshwaran

ORDER

The petitioner had taken advantage of the provisions of the Right to Information Act, 2005 (the Act) and had sought necessary information.

2.The petitioner had filed an application as necessitated under Section 6(1) of the Act. That application was given on 06.07.2022. The Act stipulates a period of 30 days, within which such information should be provided. The 30 days time passed. Information was not given. Therefore, on 08.08.2022, he filed an Appeal as stipulated under Section 19(1) of the



Act, before the 2nd respondent. The 2nd respondent directed the 3rd respondent to provide necessary information. Again information was not provided. However, there were certain conditions imposed. Thereafter, again the petitioner filed an Appeal before the 1st respondent. The 1st respondent had stated that the petitioner should enclose the copy filed seeking information under Section 6(1) of the Act and also the Appeal filed before the 2nd respondent under Section 19(1) of the Act.

3.It is complained by the learned counsel for the petitioner that those enclosures were actually forwarded. But there is a dispute, whether they were so forwarded or not. The learned Standing Counsel for the respondents denies the receipt of those enclosures.

4.The petitioner is granted an opportunity to give an additional copy of an application under Section 6(1) of the Act and the Appeal under Section 19(1) of the Act, to the 1st respondent. It may be handed over in person to the office of the 1st respondent on 19.12.2022 between 10.00 a.m and 1.00 p.m and furnish whatever else is required to the 1st respondent and thereafter, the 1st respondent may take the appeal for consideration and pass



necessary orders in proper manner without any unnecessary delay.

WEB COPY 5. With the above observations, this Writ Petition stands disposed of.

No costs. Consequently, the connected Writ Miscellaneous Petition is closed.

14.12.2022

Index: Yes/No

Internet: Yes/No

smv

To

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C.V.KARTHIKEYAN,J.

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