



W.P.(MD)No.3919 of 2020

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**DATED : 27.10.2022**

**CORAM**

**THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN**

**W.P(MD)No.3919 of 2020**

S.Micheal

... Petitioner

**Vs**

- 1.The State Information Commissioner,  
Tamil Nadu Information Commission,  
No.2, Thiagaraya Salai,  
Near Aalai Amman Kovil,  
Teynampet, Chennai-600 018.
- 2.The Appellate Authority/The Tahsildar,  
Sankarankovil Taluk Office,  
Sankarankovil,  
Tirunelveli District.
- 3.The Public Information Officer/  
The Zonal Deputy Tahsildar,  
Sankarankovil,  
Tirunelveli District.
- 4.Mr.Ravi Ganesh,  
The Public Information Officer/  
The Zonal Deputy Tahsildar,  
Sankarankovil,  
Tirunelveli 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 first respondent



W.P.(MD)No.3919 of 2020

to issue appropriate orders against the fourth respondent under Section 20 of the Right to Information Act, 2005 and consequently directing the third respondent to provide information to the petitioner as per the order in S.A.No. 1998/B/17, dated 23.01.2019 passed by the first respondent within the time stipulated by this Court.

|                |                                        |
|----------------|----------------------------------------|
| For Petitioner | : Mr.I.Pinaygash                       |
| For R1         | : Mr.K.K.Senthil                       |
| For R2 & R3    | : Mr.C.Satheesh<br>Government Advocate |
| For R4         | : No appearance                        |

### **ORDER**

The petitioner has prayed for issuance of a Writ of Mandamus, directing the first respondent to issue appropriate orders against the fourth respondent under Section 20 of the Right to Information Act, 2005 and consequently directing the third respondent to provide information to the petitioner as per the order in S.A.No.1998/B/17, dated 23.01.2019 passed by the first respondent.

2. Heard the learned counsel appearing for the petitioner, learned Government Advocate appearing for the respondents 2 & 3 and the learned counsel appearing for the first respondent.

3. The grievance of the petitioner is that as per the Revenue Records, inadvertently made wrong entry in the revenue records as if his property in



W.P.(MD)No.3919 of 2020

Survey No.80/14 instead of 80/13 and also they wrongly typed his patta number as if 1276 instead of original patta No.448. Moreover, the Revenue authorities wrongly conducted survey and reduce the extent of his property in 0.0.50 Ares. On 06.12.2016 the petitioner made an application before the third respondent and seeking information under the Right to Information Act 2005. However, the third respondent did not provide the information to him under the RTI Act. Therefore, on 02.01.2017 he preferred an first appeal before the second respondent and requested to furnish the information under RIT Act. However, he could not get proper information from the second respondent. Thereafter, the petitioner preferred the second appeal before the first respondent. The petitioner and the fourth respondent were present before the first respondent during enquiry. On 23.01.2019 the first respondent passed the order in S.A.No. 1998/B/17 with a direction to the fourth respondent to provide information to the petitioner as prayed for within 10 days from the receipt of the order of the first respondent in free of cost as per Section 7(6) of the Right to Information Act, 2005. However, the fourth respondent did not provide proper information to the petitioner under RTI Act even after passing the order of first respondent. Moreover, the fourth respondent gave false information to the petitioner in proceedings in Na.Ka.No.Aa.10/151/2017 dated 10.04.2017 and 14.08.2019 and also the fourth respondent simply gave the reply as if he has to approach



W.P.(MD)No.3919 of 2020

the appellate authority of patta proceedings and the RDO for rectifying the errors. The fourth respondent made him from pillar to post by saying that has to approach the RDO instead of furnish the information. Therefore, on 05.02.2020, the petitioner sent a detailed representation to the first respondent to take appropriate action against the fourth respondent.

4. The learned Government Advocate appearing for the respondents 2 & 3 would submit that the petitioner has already produced all the necessary documents to the respondents in year 2019 itself and as per the Tamil Information Commission in S.A.No.1998/B/17 they have directed the Revenue Tahsildar to give proper information to the petitioner and the same has been considered by the authorities and different orders have been passed on 10.04.2019, 09.05.2019 and 14.08.2019. In spite of the same, the petitioner again filed the writ petition and he is running the clock backward and has not taken any steps to run the clock forward to seek rectification before the revenue authorities by producing appropriate documents instead of approaching the Right to Information Act.

5. In view of the above, this Court directs the petitioner to give fresh representation to the respondents 2 & 3 along with all the necessary documents



W.P.(MD)No.3919 of 2020

within a period of four weeks from the date of receipt of a copy of this order and on receipt of the said representation, the respondents 2 & 3 are directed to consider the same and pass orders on merits and in accordance with law within a period of six weeks thereafter after affording an opportunity to all the parties concerned.

6. With the above direction, the writ petition stands disposed of. No costs.

Index : Yes/No  
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To

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W.P.(MD)No.3919 of 2020

**V.BHAVANI SUBBAROYAN, J.**

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