



W.P. No.8476 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No.8476 of 2023

L.Shanmugam

... Petitioner

Vs.

1. The State Information Commissioner,
Office of the Tamil Nadu Information Commission,
Block-19, Government Farm Village, Saidapet,
Chennai – 600 015.
2. The Assistant Director Town Panchayath /
Appellate Authority,
Office of District Collectorate,
Erode – 600 011.
3. The District Collector,
Erode District,
Erode – 11.
4. The Public Information Officer /
The Executive Officer,
Vellottamparapu Town Panchayath,
Erode District – 638 154,
Tiruppur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for records of the fourth respondent herein pertaining to his proceedings dated 25.11.2022 proceedings in Na.Ka.No.957/2022 served on 02.01.2023 and quash the



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same and consequently direct the fourth respondent to provide the clean, readable and legible copies of the information sought by the petitioner.

For Petitioner : Mr.M.Guruprasad

For Respondents : Mr.C.Vigneswaran
Standing Counsel for R1
Mr.E.Veda Bagath Singh
Special Government Pleader [R2 to R4]

ORDER

This writ petition has been filed seeking for issuance of a writ of certiorarified mandamus to quash the proceedings of the fourth respondent herein dated 25.11.2022 in Na.Ka.No.957/2022 served on 02.01.2023 and consequently direct the fourth respondent to provide the clean, readable and legible copies of the information sought by the petitioner.

2. Mr.M.Guruprasad, appears for learned counsel for the petitioner, Mr.C.Vigneswaran, accepts notice for the first respondent, Mr.E.Veda Bagath Singh, learned Special Government Pleader accepts notice for respondents 2 to 4. In view of the consent expressed by learned counsel appearing on either side, this writ petition is taken up for final disposal.

3. It is the case of the petitioner that he made an application under the RTI act on 19.07.2022, before the third respondent seeking information from the office of the fourth respondent, who inturn forwarded the same to



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the fourth respondent who is the original authority to furnish the information sought for by the petitioner. Since no response was forthcoming, the petitioner preferred an appeal under Section 19(1) of the RTI Act 2005 on 20.08.2022 before the second respondent, who instructed the fourth respondent to furnish the information and to report before his office. Due to the inaction of the fourth respondent, the petitioner preferred second appeal before the first respondent. Thereafter, the fourth respondent had sent the records through registered post on 02.01.2023 to the petitioner. Though the proceedings show the date as 25.11.2022, it was dispatched only on 02.01.2023 to the petitioner. Since the records sent by the fourth respondent was illegible, the petitioner has filed the above writ petition, challenging the proceedings dated 25.11.2022 issued by the fourth respondent.

4. Though the petitioner has filed this writ Petition for a larger relief, however, at the time of arguments learned counsel for the petitioner restricted his prayer and sought permission of this Court to approach either the Appellate authority or the fourth respondent to furnish the legible / clean copies of the information sought for by the petitioner.

5. Learned Special Government Pleader appearing for the



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respondents 2 to 4 submits that since the petitioner approached the fourth respondent seeking to provide information sought by him, legible / clean copies of the same will be furnished to the petitioner.

6. Heard learned counsel appearing on either side and perused the materials placed on record.

7. In view of the fair submission made by learned Special Government Pleader appearing for the respondents 2 to 4, this Court without interfering with the order impugned, directs the fourth respondent to furnish the clean copy of the information sought by the petitioner within a period of four weeks from the date of receipt of a copy of this order.

8. Accordingly, this writ petition is disposed of. No costs.

17.03.2023

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(rap)

Index : Yes / No

Speaking order / Non speaking order : Yes / No

NCC : Yes / No



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To

WEB COPY

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M.DHANDAPANI,J.

Dispensed with for the present.

17.03.2023
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RAP