



W.P. No. 9548 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 9548 of 2022

and

W.M.P. No. 9288 of 2022

M.Kasimayan

... Petitioner

-VS-

1. The State Information Commissioner,
O/o. Tamil Nadu State Information Commission,
No. 19, Government Estate House,
TANPED,
Nandanam,
Chennai – 600 035.
2. The First Appellate Authority,
O/o. the Managing Director,
TASMAC Limited,
CMDA Tower, 4th Floor,
Egmore,
Chennai – 600 008.
3. The Public Information Officer,
O/o. the Senior Regional Manager,
TASMAC Limited,
Madurai.
4. The Public Information Officer,
O/o. the District Manager,
TASMAC Limited,
Tuticorin.



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5. The Public Information Officer,
O/o. the Administrative Secretary,
TASMAC Limited,
CMDA Tower, 4th Floor,
Egmore,
Chennai – 600 008.

Respondents

...

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First Respondent to implement the provisions of the RTI Act under Section 5, 18, 19 and 20 of the RTI Act with proper compliance to enable the applicants to get the proper information as per the object of the RTI Act enacted by the Parliament.

For Petitioner : Mr. D.Bharathy

For Respondents : Mr. C.Vigneswaran (for R1)

Mr. K.Sathishkumar (for R2 to R5)

ORDER

Heard Mr. D.Bharathy, Learned Counsel for the Petitioner, Mr. C.Vigneswaran, Learned Counsel for the First Respondent and Mr. K.Sathishkumar, Learned Counsel for the Second to Fifth Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. It is the case of the Petitioner that the request sought from the Third and Fourth Respondents on the appeals filed before the Second Respondent for their



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failure to furnish the same, it has necessitated the filing of Second Appeals under Section 19(3) of the Right to Information Act, 2005 (hereinafter referred to as 'the RTI Act' for short), before the First Respondent in S.A. Nos. 13295/SCIC/2021, 13296/SCIC/2021, 13298/SCIC/2021, 13503/SCIC/2021, 13506/SCIC/2021 and 13508/SCIC/2021 in which it was communicated to the Petitioner that the Third and Fourth Respondents would have to supply the requested information by 16.02.2022 and if it is not complied, the same may be brought to the notice of the First Respondent by 26.02.2022 by letter or telephone call. However, the Petitioner had not been able to obtain the requested information from the Third and Fourth Respondents till date. In that backdrop, this Writ Petition has been filed seeking to implement the provisions of the RTI Act.

3. Having regard to the limited nature of relief sought in the Writ Petition, the Second Appeals in S.A. Nos. 13295/SCIC/2021, 13296/SCIC/2021, 13298/SCIC/2021, 13503/SCIC/2021, 13506/SCIC/2021 and 13508/SCIC/2021 shall be listed before the First Respondent on 05.06.2024. If the First Respondent is not in a position to take up the matter for hearing on that date, it shall inform to all parties concerned of the date of hearing to which it is adjourned in the prescribed manner. The Petitioner and the Second to Fifth



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Respondents shall appear for the said hearings without fail. It shall be incumbent upon the First Respondent to afford full opportunity of hearing to all parties concerned following the prescribed procedure in consonance with the principles of natural justice, deal with each of the contentions raised and pass reasoned orders on merits and in accordance with law and communicate the decision taken to them under written acknowledgment.

In the result, the Writ Petition is disposed on the aforesaid terms. Consequently, the connected Miscellaneous Petition is closed. No costs.

20.12.2023

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 18.04.2024.

vjt

To

1. The State Information Commissioner,
O/o. Tamil Nadu State Information Commission,
No. 19, Government Estate House,
TANPED,
Nandanam,
Chennai – 600 035.
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TASMAC Limited,
CMDA Tower, 4th Floor,
Egmore,
Chennai – 600 008.

Copy to

M.Kasimayan,
S/o. P.Mayan,
No. 70, T.N.H.B. Colony,
Ayapakkam,
Chennai – 600 077.



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P.D. AUDIKESAVALU, J.

vjt

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