



WEB COPY



W.P.No.18415 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.18415 of 2023

R.Raji

... Petitioner

Vs.

1.The Information Commissioner,
Tamil Nadu State Information Commission,
Farm House, Fanpet,
(Pension Pay Office Back Side),
Nandanam,
Chennai – 600 035.

2.The Public Information Officer/
Deputy Block Development Office,
Oolakkur,
Panchayat Union,
Saram Village and Post,
Tindivanam Taluk,
Villupuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent to consider the petition C.P.No. of 2022 in Case No.S.A.3760/F/2021 dated 19.04.2022.



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For Petitioner : Mr.R.Krishnamurthy
For Respondents : Mr.C.Vigneswaran
Standing Counsel [R1]
Mr.E.Veda Bagath Singh
Special Government Pleader [R2]

ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the first respondent to consider the petition C.P.No. of 2022 in Case No.S.A.3760/F/2021 dated 19.04.2022.

2. Mr.C.Vigneswaran, learned Standing Counsel takes notice for the first respondent and Mr.E.Veda Bagath Singh, learned Special Government Pleader takes notice for the second respondent. In view of the consent expressed by the learned counsel appearing on either side, this petition is taken up for final disposal.

3. The case of the petitioner is that, he made an application before the second respondent under the Right to Information Act (in short 'the Act'), however, the second respondent has not furnished the information.



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Against which, the petitioner preferred an appeal before the first respondent and the second respondent passed an order in faovur of the petitioner on 03.03.2021. However, the said order has not been implemented so far. Hence, the petitioner filed the above writ petition before this Court for appropriate directions.

4. Though very many grounds have been raised in this writ petition, the learned counsel for the petitioner submits that, it would suffice, if this Court, issues a direction to the first respondent to consider the petition C.P.No. of 2022 in Case No.S.A.3760/F/2021, dated 19.04.2022, within a time frame that may be stipulated by this Court.

5. The learned Standing Counsel appearing for the first respondent submits that, if the order of the first respondent is not implemented by the Public Information Officer-second respondent herein, remedy available to the petitioner is to file an application before the first respondent under Section 20(1) of the Act. However, the same was not followed by the petitioner. Accordingly, he prays for dismissal of the writ petition.



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6. In view of the above submission, this Court, without going into the merits of the case, directs the petitioner to file an application before the first respondent under Section 20(1) of the Right to Information Act, within a period of two weeks from the date of receipt of copy of this order, if not already filed. If such an application is filed, the first respondent is directed to consider the same and pass appropriate orders on merits and in accordance with law, within a period of four weeks thereafter.

7. Accordingly, the writ petition is disposed of. No costs.

23.06.2023

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
sp



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M.DHANDAPANI, J.

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