



W.P.No.14001 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.14001 of 2023

M Saravanan

... Petitioner

Vs.

1. The Tamil Nadu State Information Commission,
Represented by its Commissioner,
Block No.19, Government Farm Village,
Panpet, Nandanam,
Chennai - 600 035.
2. The Director,
Elementary School Education,
DPI Campus,
Chennai - 600 006.
3. The Chief Education Officer,
Manjakkuppam,
Cuddalore - 607 001.
4. The District Education Officer,
Public Information Officer,
Government Higher Secondary School Premises,
Manjakkuppam,
Cuddalore - 607 001.

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents 3 and 4 to furnish the information to the petitioner in compliance with the order of the first respondent dated 03.09.2021 and consequentially direct the first respondent to initiate disciplinary action against the fourth respondent as per Section 20(2) of the Right to Information Act, 2005.

For Petitioner : Mr.S.Senthilnathan
For Respondents : Mr.C.Vigneswaran for R1
Mr.E.Veda Bagath Singh
Spl. Govt. Pleader for R2 to R4

ORDER

This Writ Petition has been filed for a direction to the respondents 3 and 4 to furnish the information to the petitioner in compliance with the order of the first respondent dated 03.09.2021 and consequently direct the first respondent to initiate disciplinary action against the fourth respondent as per Section 20(2) of the Right to Information Act, 2005.

2. The case of the petitioner is that the petitioner made an application on 23.04.2021 under 6(1) of the Right to Information Act, 2005,



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seeking information regarding the departmental action taken against one Dhanalakshmi, based on his complaint dated 20.02.2021. But the fourth respondent herein did not furnish the required information sought for by the petitioner. Hence, he filed an appeal dated 26.05.2021 before the Chief Education Officer / Appellate Authority. Though the Appellate Authority directed to furnish the required documents, the fourth respondent has failed to furnish the same. Therefore, he filed Second Appeal to the Chief Information Commissioner, Tamil Nadu Information Commission, Chennai against the inaction of the Public Information Officer. The appeal before the State Information Commission was numbered as S.A.No.8597/D/2021 and after enquiry, final order dated 03.09.2021 was passed by the State Information Commissioner directing the Public Information Officer, District Education Officer to furnish the information sought by the petitioner within a period of 20 days, but the same has not been implemented. Therefore, the petitioner made representations dated 12.10.2021 and 26.04.2022 to the first respondent enclosing the order dated 03.09.2021 of the State Information Commission and requested for compliance and action as per Section 20 of



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the Right to Information Act, but the same has not been considered. Hence the present Writ Petition has been filed.

3. Though very many grounds have been raised in the present Writ Petition, it would suffice, if this Court may issues a direction to the first respondent to consider the petitioner's representation dated 26.04.2022 and pass appropriate orders, within a time frame that may be fixed by this Court.

4. The learned counsel appearing for the respondents has no serious objection for such an order being passed by this Court.

5. Heard learned counsel appearing on either side and perused the materials placed before this Court.

6. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs



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the first respondent to consider the petitioner's representation dated 26.04.2022 and pass appropriate orders, on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

7. With the above directions, this Writ Petition is disposed of. No costs.

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NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji



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M.DHANDAPANI,J.

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