



WEB COPY



W.P.No.17564 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.17564 of 2023

S.Doraisamy

... Petitioner

Vs.

1.The State Information Commission,
Block No.19, Government Farm Village,
Panepet, Nandanam,
Chennai – 600 035.

2.The Appellate Authority,
Office of the Under Secretary to Governor,
Governor's Secretariat,
Raj Bhavan,
Chennai – 600 022.

3.Under Secretary to Governor/Public Information Officer,
Governor's Secretariat,
Raj Bhavan,
Chennai – 600 022.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the second respondent to dispose the appeal preferred by the petitioner dated 03.11.2022 and furnish the information as per the information sought for by application dated 19.08.2022.



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For Petitioner : Mr.V.Elangovan
For Respondents : Mr.C.Vigneswaran
Government Advocate [R1]
Mr.V.Manoharan
Additional Government Pleader
[R2 & R3]

ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the second respondent to dispose of the appeal preferred by the petitioner dated 03.11.2022 and furnish the information as per the information sought for by application dated 19.08.2022.

2. Mr.C.Vigneswaran, learned Government Advocate accepts notice for the first respondent and Mr.V.Manoharan, learned Additional Government Pleader accepts notice for the respondents 2 and 3. 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 dated 19.08.2022 before the third respondent/Public Information Officer under



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Right to Information Act, 2005, however, the third respondent refused to furnish the information, thereby, he preferred an appeal before the second respondent on 03.11.2022, however, the same was not disposed by the second respondent. Hence, he preferred second appeal before the first respondent under Section 19(3) of the Right to Information Act. Since the same was not considered, the petitioner filed the above writ petition before this Court for appropriate directions.

4. The learned counsel for the petitioner submits that, it would suffice, if this Court issues a direction to the second respondent to dispose of the appeal dated 03.11.2022 filed by the petitioner, within a time frame that may be fixed by this Court.

5. The learned Government Advocate appearing for the first respondent and the learned Additional Government Pleader appearing for the respondents 2 and 3 submit that, the appeal dated 03.11.2022 filed by the petitioner will be considered and appropriate orders will be passed by the respondents as expeditiously as possible.



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6. In view of the aforesaid submissions, this Court, without going into the merits of the case, directs the second respondent to dispose of the appeal dated 03.11.2022 filed by the petitioner, within a period of eight (8) weeks from the date of receipt of a copy of this order, after affording an opportunity of personal hearing to the petitioner.

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

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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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