



W.P.No.16763 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2023

CORAM

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI**

W.P.No.16763 of 2023

S.Fayas Ahamed

. . . Petitioner

Vs.

1. The Chief Information Officer,  
Tamilnadu State Chief Information Commission  
No.19, Government Farm village fenepet,  
Nandhanam,  
Chennai-600 035.

2. The First Appellate official,  
Tamil Nadu Waqf board,  
No.1, Jabar Serang Street,  
Vallai Sitakadi Nagar,  
Chennai-600 001.

3. The Public Information Officer,  
Tamil Nadu Waqf board,  
No.1, Jabar serang street,  
Vallai Sitakadi Nagar,  
Chennai-600 001.

. . . Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus or Direction or order in the nature of a Writ to direct the 1<sup>st</sup> respondent to take departmental action against the 3<sup>rd</sup>



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respondent and subsequently direct the 3<sup>rd</sup> respondent herein to furnish the information pursuant to the RTI petition dated 25.04.2022.

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For petitioner : M/s.R.Sunil Kumar

For Respondents : Mr. C.Vigneswaran for R1

### **ORDER**

This Writ Petition has been filed for a direction to the 1<sup>st</sup> respondent to take departmental action against the 3<sup>rd</sup> respondent and also to direct the 3<sup>rd</sup> respondent to furnish the information pursuant to the RTI petition dated 25.04.2022 made by the petitioner.

2. Mr. C.Vigneswaran, learned counsel takes notice on behalf of the 1<sup>st</sup> respondent.

3. It is the case of the petitioner that, on 25.04.2022, the petitioner has filed a petition before the 3<sup>rd</sup> respondent under Section 6(1) of the Right to Information Act, 2005 seeking a certified copy of the donation books, donation via cash, check or DD or donation made directly through the bank and certain other details relating to the Tamil Nadu Waqf Board. Since,



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there was no response from the 3<sup>rd</sup> respondent, on 28.05.2022, the petitioner preferred an appeal before the 2<sup>nd</sup> respondent under Section 19(1) of the Right to Information Act 2005, since, the same did not yield any response, the petitioner preferred 2<sup>nd</sup> appeal before the 1<sup>st</sup> respondent, pursuant to which, the 3<sup>rd</sup> respondent was directed to act of the petitioner's representation. Despite the same, the 3<sup>rd</sup> respondent has not considered the petitioner's representation. Therefore, the petitioner sent a representation dated 03.11.2022 to the 1<sup>st</sup> respondent requesting to initiate departmental action against 3<sup>rd</sup> respondent under Appellate Procedure Rules. However, till date, no action has been taken on the said representation. Hence, this Writ Petition.

4. Though very many grounds have been raised, however, learned counsel for the petitioner submits that it would suffice if this Court issues a direction to the 1<sup>st</sup> Respondent to take departmental action against the 3<sup>rd</sup> respondent and pass appropriate orders on merits within the time that may be stipulated by this Court.



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5. On the above contention, this Court heard the learned counsel appearing for the 1<sup>st</sup> respondent.

6. In view of the limited relief sought for by the petitioner, this Court without going into the merits of the case, directs the 1<sup>st</sup> respondent to take appropriate action against the 3<sup>rd</sup> respondent in terms of 20(1) & (2) of the Right To Information Act and pass orders, within a period of four weeks from the date receipt of a copy of this order.

7. This Writ Petition stands disposed of with the aforesaid direction.

There shall be no order as to costs.

**07.06.2023**

Index : Yes / No

Internet : Yes / No

NHS



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**M.DHANDAPANI, J**

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