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W.P. No. 22457 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2023

CORAM

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

W.P. No. 22457 of 2023

A.Shakila Banu

... Petitioner

-VS-

1. The Principal Chief Officer,
The Income Tax Office,
Vellore Circle,
No. 2, Barracks Cross Street,
Officer Lane,
Vellore – 632001.

2. The Appellate Public Information Officer,
Additional Commissioner of Income Tax,
Vellore Circle,
No. 2, Barracks Cross Street,
Officer Lane,
Vellore – 632001.

3. The Public Information Officer,
Commissioner of Income Tax,
No. 121, M.G.Road,
Ayakar Bhavan,
Nungambakkam,
Chennai – 600054.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, to directing the Third Respondent herein to issue the furnish the information pursuant to the RTI Petition on 07.02.2023.



W.P. No. 22457 of 2023

For Petitioner : Mr. R.Sunilkumar

For Respondents : Mr. B.Ramaswamy

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ORDER

Heard Mr. R.Sunilkumar, Learned Counsel for the Petitioner and Mr. B.Ramaswamy, Learned Counsel for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner seeks direction to the Third Respondent to furnish the information sought in his application dated 07.02.2023 made under Section 6(1) of the Right to Information Act, 2005 (hereinafter referred to as 'the Act' for short).

3. In response, the Principal Chief Commissioner of Income Tax, Tamil Nadu and Puducherry has produced a copy of the Letter No. Che-Coord/101(27)/RTI/2023-24 dated 28.08.2023 sent by him to the Principal Commissioner of Income Tax – 8, BSNL Building, Greaves Road, Nungambakkam, Chennai stating that the matter relates to Central Public Information Officer/Income Tax Officer, Ward-1, Vellore and the First Appellate Authority/Additional Commissioner of Income Tax, Vellore Range,



W.P. No. 22457 of 2023

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4. That apart, it is borne out from the materials placed on record that the Petitioner has also preferred second appeal under Section 19(3) of the Act before the Central Information Commissioner in respect of the information sought from the First Respondent.

5. In the aforesaid circumstances, it would be incumbent upon the Petitioner to await the outcome of the decision in the second appeal before the Central Information Commissioner and determine the further course of action in the matter in accordance with law.

In the result, the Writ Petition is disposed on the aforesaid terms. No costs,

06.12.2023

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NCC: Yes/No
Index: Yes/No

Note: Issue order copy by 22.05.2024.



W.P. No. 22457 of 2023

To

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P.D. AUDIKESAVALU, J.

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W.P. No. 22457 of 2023

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