



W.P. No. 19870 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2023

CORAM

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

W.P. No. 19870 of 2020

P.Gopinathan

... Petitioner

-VS-

1. The Public Information Officer cum Deputy Block Development Officer,
O/o. Block Development Officer,
Kolathur PO – 636 363,
Salem District.
2. The First Appellate Officer cum Assistant Director,
Directorate of Rural Development & Panchayat Raj,
Saidpet,
Chennai – 600 015.
3. The First Appellate Officer cum Block Development Officer,
Kolathur PO – 636 363,
Salem District.
4. The Public Information Officer cum Assistant Project Officer,
District Rural Development Agency,
Salem – 636 001.
5. The First Appellate Officer cum Project Director,
District Rural Development Agency,
Salem – 636 001.
6. The Chief Information Commissioner,
Tamil Nadu State Information Commission,
2, Thiagaraya Salai,
Teynampet,
Chennai – 600 018.

... Respondents



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Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First and Fourth Respondents, the Public Information Officers to furnish the information and certified copies of documents as requested by the Petitioner in the Petitions dated 09.10.2018, 15.12.2018, 24.01.2019 and 27.03.2019 with exemplary cost.

For Petitioner : No appearance

For Respondents : Mr. M.Alagu Gowtham,
Government Advocate
(for R1, R2, R4 & R5)

Mr. I.Sathish (for R3)

Ms. S.Sowjanya
for M/s. G.R.Associates (for R6)

O R D E R

Heard Mr. M.Alagu Gowtham, Learned Government Advocate appearing for the First, Second, Fourth and Fifth Respondents, Mr. I.Sathish, Learned Counsel for the Third Respondent and Ms. S.Sowjanya, Learned Learned Counsel for the Sixth Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. It is the case of the Petitioner that the Sixth Respondent in the order dated 07.11.2019 in Case No. SA 33644/B/2019, order dated 04.09.2020 in



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Case No. SA 519/B/2019, order dated 14.10.2020 in Case No. SA 3992/B/2019

and order dated 16.10.2020 in Case No. SA 2141/B/2019 filed by the Petitioner under Section 19(3) of the Right to Information Act, 2005 (hereinafter referred to as the 'RTI Act' for short) had directed the First Respondent to furnish certain information to the Petitioner.

3. The grievance sought to be ventilated by the Petitioner in this Writ Petition is that the information has not yet been furnished by the First Respondent to the Petitioner despite the aforesaid order passed by the Sixth Respondent.

4. Inasmuch as the scheme devised in Section 20 of the RTI Act requires the Sixth Respondent to ensure that its orders are carried out within a specified time limit and then posted for reporting compliance, which exercise has not taken place, the Sixth Respondent shall list the aforesaid Second Appeals on 05.06.2024, and the Petitioner and the First to Fifth Respondents shall appear for that hearing without fail. If the Sixth Respondent is not in a position to take up the matter for hearing on that date, it shall inform to all parties concerned of the date of hearing to which it is adjourned in the prescribed manner. It shall be incumbent upon the Sixth Respondent to afford full opportunity of hearing to



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all parties concerned following the prescribed procedure in consonance with the principles of natural justice, deal with each of the contentions raised and pass reasoned orders on merits and in accordance with law and communicate the decision taken to them under written acknowledgment.

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

19.12.2023

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 18.04.2024.

vjt

To

1. The Public Information Officer cum Deputy Block Development Officer,
O/o. Block Development Officer,
Kolathur PO – 636 363,
Salem District.
2. The First Appellate Officer cum Assistant Director,
Directorate of Rural Development & Panchayat Raj,
Saidpet,
Chennai – 600 015.
3. The First Appellate Officer cum Block Development Officer,
Kolathur PO – 636 363,
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4. The Public Information Officer cum Assistant Project Officer,
District Rural Development Agency,
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5. The First Appellate Officer cum Project Director,
District Rural Development Agency,
Salem – 636 001.
6. The Chief Information Commissioner,
Tamil Nadu State Information Commission,
2, Thiagaraya Salai,
Teynampet,
Chennai – 600 018.

Copy to

P.Gopinathan,
S/o. Palanisamy,
Block Development Officer (Village Panchayat),
Under Suspension,
Headquarters @ 22/3, Selathar kadu,
Kannankurichi Post,
Salem – 636 008.



WEB COPY



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P.D. AUDIKESAVALU, J.

vjt

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