



W.P. No. 20945 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2023

CORAM

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

W.P. No. 20945 of 2022

and

W.M.P. No. 19960 of 2022

R.Sivakumar

... Petitioner

-VS-

1. The State Information Commissioner,
Tamilnadu Information Commission,
No. 2, Thiyagaraya Salai,
Tenampet,
Chennai – 600 018.
2. The District Collector,
Tiruppur District,
Tiruppur.
3. The Revenue Divisional Officer,
Udumalpet Taluk,
Tiruppur District.
4. The Tahsildar,
Madathukulam Taluk,
Tiruppur District.
5. The Zonal Deputy Tahsildar,
Madathukulam Taluk,
Tiruppur District.
6. M.Kittan

... 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 Respondent to furnish the documents related to the Petitioner land situated at Survey No. 120/4B to the extent of land 0.28 Hectare/0.69 Acres at Myvadi Village 1-2, Udumalpet Taluk, Tiruppur District in view of the Petitioner RTI Appeal dated 25.01.2021 in S.A. No. 002909/2021 within a limited time frame.

For Petitioner : Mr. A.M.Esakkiappan

For Respondents : Mr. C.Vigneswaran (for R1)

Mr. E.Veda Bagath Singh,
Special Government Pleader
(for R2 to R5)

Mr. M.N.Balakrishnan (for R6)

ORDER

Heard Mr. A.M.Esakkiappan, Learned Counsel for the Petitioner, Mr. C.Vigneswaran, Learned Counsel for the First Respondent, Mr. E.Veda Bagath Singh, Learned Special Government Pleader appearing for the Second to Fifth Respondents and Mr. M.N.Balakrishnan, Learned Counsel for the Sixth Respondent and perused the materials placed on record, apart from the pleadings of the parties.



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2. It has been brought to notice that the Second Appeal in S.A. No. 002909/2021 is pending before the First Respondent in respect of the information sought by the Petitioner.

3. Learned Standing Counsel appearing for the First Respondent, on instructions, states that the aforesaid Second Appeal filed by the Petitioner would be listed for hearing as per the chronological sequence of filing in due course. The said submission is placed on record.

4. Having regard to the limited nature of relief sought in the Writ Petition, the Second Appeal in S.A. No. 002909/2021 shall be listed before the First Respondent on 28.03.2024. The Petitioner and other concerned persons shall appear for that hearing without fail. If the First 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 First Respondent to afford full opportunity of hearing to 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



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with law and communicate the decision taken to them under written acknowledgment.

In the result, the Writ Petition is disposed on the aforesaid terms.

Consequently, the connected Miscellaneous Petition is closed. No costs.

20.12.2023

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 19.02.2024.

vjt

To

1. The State Information Commissioner,
Tamilnadu Information Commission,
No. 2, Thiyagaraya Salai,
Tenampet,
Chennai – 600 018.
2. The District Collector,
Tiruppur District,
Tiruppur.
3. The Revenue Divisional Officer,
Udumalpet Taluk,
Tiruppur District.
4. The Tahsildar,
Madathukulam Taluk,
Tiruppur District.



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5. The Zonal Deputy Tahsildar,
Madathukulam Taluk,
Tiruppur District.

Copy to

1. R.Sivakumar,
S/o. V.Ramasamy,
Residing at No. 11/41, Jothipalayam,
Myvadi Post, Udumalpet Taluk,
Tiruppur District.
2. M.Kittan,
S/o. Maran Mathari,
Vedapatti Village,
Udumalpet Taluk,
Tiruppur District.



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P.D. AUDIKESAVALU, J.

vjt

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