



W.P. No. 3348 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2023

CORAM

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

W.P. No. 3348 of 2021

S.Raja

... Petitioner

-VS-

1. The Public Information Officer,
Head Quarters Hospital,
Perambalur.
2. The Joint Director and Appellant Authority
under the Right to Information Act,
Joint Director's Welfare Office,
Head Quarters Hospital,
Perambalur.
3. The State Information Commissioner,
Tamil Nadu Information Commission and Directorate,
Teynampet,
Chennai – 600 018.
4. Dr. A.Anandamoorthy

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First to Third Respondents to provide necessary information as regard the list of persons who have been affected on account of the eye surgery and eye treatment taken from the Fourth Respondent at the District Headquarters Hospital, Perambalur.



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For Petitioner : Mr. S.P.Harikrishnan
For Respondents : Mr. M.Alagu Gowtham,
Government Advocate (for R1 & R2)
Mr. C.Vigneswaran (for R3)
Mr C.Prabhakaran (for R4)

ORDER

Heard Mr. S.P.Harikrishnan, Learned Counsel for the Petitioner, Mr. M.Alagu Gowtham, Learned Government Advocate appearing for the First and Second Respondents, Mr. C.Vigneswaran, Learned Counsel for the Third Respondent and Mr. C.Prabhakaran, Learned Counsel for the Fourth Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. It is the case of the Petitioner that the Third Respondent in the order dated 21.02.2020 in S.A. No. 1605/E/2019 filed by him 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 the certain information and the Second Respondent was required to ensure its compliance and file report within 30 days before the Third Respondent.



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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 and Second Respondents to the Petitioner despite the aforesaid order passed by the Third Respondent.

4. Inasmuch as the scheme devised in the RTI Act requires the First 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 Third Respondent shall list the aforesaid Second Appeal on 13.03.2024, and the Petitioner and the First and Second Respondents shall appear for that hearing without fail. If the Third 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 adjourned date of hearing in the prescribed manner. The Third Respondent shall verify whether the order has been complied by the concerned authorities and if not, shall take further action in accordance with law following the prescribed procedure in consonance with the principles of natural justice and shall communicate the decision taken to the parties under written acknowledgment.



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

costs.

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Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 14.02.2024

vjt

To

1. The Public Information Officer,
Head Quarters Hospital,
Perambalur.
2. The Joint Director and Appellant Authority
under the Right to Information Act,
Joint Director's Welfare Office,
Head Quarters Hospital,
Perambalur.
3. The State Information Commissioner,
Tamil Nadu Information Commission and Directorate,
Teynampet,
Chennai – 600 018.

Copy to

1. S.Raja,
S/o. Sellamuthu,
5/79, Mariamman Koil Street,
T.Kalathur,
Alathur Taluk,
Perambalur District.
2. A.Anandamorrthy,
Working Doctor,
Perambalur District Headquarters Hospital,
Perambalur.



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P.D. AUDIKESAVALU, J.

vjt

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