



WEB COPY



W.P. No. 21341 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 07.12.2023**

**CORAM**

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

**W.P. No. 21341 of 2023**

**and**

**W.M.P. No. 20738 of 2023**

Kondamuri Kusuma Nagendra Prasad

... Petitioner

-vs-

1. The Public Information Officer-cum-  
The Deputy Tahsildhar, Sub-Taluk,  
Department of Revenue and Disaster Management,  
Government of Puducherry,  
Yanam – 533464.

2. Government of Puducherry,  
Department of Revenue & Disaster Management,  
Sub-Taluk Officer, Yanam.

3. The Information Commissioner,  
Central Information Commission,  
Bab Gangnath Munirka,  
New Delhi – 110067.

... Respondents

**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 abide by the order of the Third Respondent in Second Appeal No. CIC/UTPON/A/2022/117940-UM dated 27.03.2023 and issue accurate information.

For Petitioner

: Mr. Sunny Sheen for Ms. V.Srimathi

For Respondents

: Mr. K.Sreedhar



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## ORDER

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Heard Mr. Sunny Sheen, Learned Counsel for the Petitioner and Mr. K.Sreedhar, Learned Counsel for the 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 Third Respondent in the order dated 27.03.2023 in the Second Appeal in S.A. No. CIC/UTPON/A/2022/117940-UM 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 and the First Respondent was required to ensure its compliance and file report before the Third Respondent.

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 Third Respondent.

4. Inasmuch as the scheme devised in Section 20 of the RTI Act requires



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the Third 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 05.06.2024, 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 date of hearing to which it is adjourned in the prescribed manner. It shall be incumbent upon the Third 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 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.

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Index: Yes/No

**Note: Issue order copy by 18.04.2024.**



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To

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Yanam – 533464.
2. The Government of Puducherry,  
Department of Revenue & Disaster Management,  
Sub-Taluk Officer, Yanam.
3. The Information Commissioner,  
Central Information Commission,  
Bab Gangnath Munirka,  
New Delhi – 110067.

Copy to

Kondamuri Kusuma Nagendra Prasad,  
S/o. Nageswara Rao,  
Door No. 7-1-009, Pydikondala Street,  
Yanam – 533 464.



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**P.D. AUDIKESAVALU, J.**

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