



WEB COPY



W.P. No. 23524 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. 23524 of 2021

VS.Prabhu

... Petitioner

-vs-

1. The State Information Commissioner,
Office of the Tamil Nadu Information Commission,
Block 19, Government Farm Village,
Saidapet,
Chennai – 600 015.

2. The Superintending Engineer,
Projects Circle,
Coimbatore – 43.

3. The Public Information Officer/Deputy Superintending Engineer,
Projects Circle,
Coimbatore – 43.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Third Respondent to grant him the information sought by the Petitioner in his RTI application dated 30.12.2020 under Section 2(j) of the RTI Act in accordance to the order dated 29.07.2021 of the First Respondent and by considering the Petitioner representation dated 15.08.2021.

For Petitioner : Mr. M.Guruprasad

For Respondents : Mr. Niranjana Rajagopalan (for R1)

Mr. M.Alagu Gowtham,
Government Advocate (for R2 & R3)



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ORDER

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Heard Mr. M.Guruprasad, Learned Counsel for the Petitioner, Mr. Niranjan Rajagopalan, Learned Counsel for the First Respondent and Mr. M.Alagu Gowtham, Learned Government Advocate appearing for the Second and Third 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 First Respondent in the order dated 21.02.2020 in the Second Appeal in S.A. No. 1605/E/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 Third 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 Third Respondent to the Petitioner despite the aforesaid order passed by the First Respondent.

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



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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 First Respondent shall list the aforesaid Second Appeal on 05.06.2024, and the Petitioner and the Second and Third Respondents 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 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.

15.12.2023

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Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 18.04.2024.



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To

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Copy to

VS.Prabu,
S/o. V.K.Sakthivel,
H83, 80 Feet Road,
Periya Nagar,
Erode – 11.



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P.D. AUDIKESAVALU, J.

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