



WEB COPY



W.P. No. 30024 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2023

CORAM

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

W.P. No. 30024 of 2022

A.Satheesh Kumar

... Petitioner

-VS-

1. Public Information Officer,
Tamil Nadu Milk Producers
Cooperative Federation Limited,
Aavin House,
No. 3a, Chamiers Road,
Nandhanam,
Chennai – 600035.

2. The Commissioner,
Tamil Nadu Information Commission Office,
Chennai – 600035.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the respondent to furnish the details of information stated in the accompanying affidavit and to execute the order of the Tamil Nadu Information Commission dated on 29.12.2021 under Section 6(1) and 2(j) of the Right to Information Act, 2005.

For Petitioner : Mr. J.Prakasam

For Respondents : Mr. I.John Arockiadas (for R1)
Mr. C.Vigneswaran (for R2)

ORDER



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Heard Mr. J.Prakasam, Learned Counsel for the Petitioner, Mr. I.John Arockiadas, Learned Counsel appearing for the First Respondent and Mr. C.Vigneswaran, Learned Standing Counsel appearing for the Second Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance sought to be ventilated by the Petitioner in this Writ Petition is that the information required by him has not been furnished despite the Order in NC 3701/E/2020 (SA 4182/C/2019), dated 29.12.2021 passed by the Second Respondent under Section 19(3) of the Right to Information Act, 2005, (hereinafter referred to as the 'Act' for short).

3. Having due regard to the fact that the scheme devised in Section 20 of the Act requires the State Information Commission to ensure compliance of its orders, the Second Respondent ought to have fixed time frame for the First Respondent to comply with its directions passed on 29.12.2021 and posted the matter for reporting compliance. Since that exercise has not taken place, the Second Respondent shall list the aforesaid Second Appeal on 19.06.2024, and the Petitioner and the First Respondent shall appear for that hearing without fail. If the Second Respondent is not in a position to take up the matter for hearing



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on that date, it shall inform to all parties concerned of the adjourned date of hearing in the prescribed manner. The Second Respondent shall verify whether the order has been complied by the First Respondent 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.

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

15.12.2023

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 22.05.2024.

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To

1. The Public Information Officer,
Tamil Nadu Milk Producers
Cooperative Federation Limited,
Aavin House,
No. 3a, Chamiers Road,
Nandhanam,
Chennai – 600035.

P.D. AUDIKESAVALU, J.

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2. The Commissioner,
Tamil Nadu Information Commission Office,
Chennai – 600035.

Copy to

A.Satheesh Kumar,
S/o.Arumugam,
No.183, Pillaiyar Koil Street,
Thiruvannamalai District,
Thiruvannamalai – 606 702.

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15.12.2023