



WEB COPY



W.P. No. 28594 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2023

CORAM

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

W.P. No. 28594 of 2023

P.Ezhilnathan

... Petitioner

-VS-

1. The Public Information Officer/The Block Development Officer (V.P),
Office of the P.D.O.
Sirkali Panchayat Union,
Sirkali Taluk,
Myladuthurai District.
2. The Public Information Officer/The Thasildar,
Office of the Thasildar,
Sirkali Taluk,
Myladuthurai District.
3. The Tamil Nadu State Information Commission,
No. 19, Government Farm House,
Pernpet, Nandanam,
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 First and Second Respondents to provide the complete and full information sought for by the Petitioner, by virtue of the orders passed by the Third Respondent herein in order Nos. S.A. No. 6344/F/2021 dated 23.06.2022, S.A. No. 1721/F/2023 dated 02.05.2023 and S.A. No. 9367/B/2022 dated 19.09.2022, within the time frame fixed by this Court.



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For Petitioner : Mr. S.Arokiamaniraj

For Respondents : Mrs. Mythreye Chandru,
Special Government Pleader (for R1)

Mr. U.Baranidharan,
Additional Government Pleader (for R2)

Mr. C.Vigneswaran (for R3)

ORDER

Heard Mr. S.Arokiamaniraj, Learned Counsel for the Petitioner, Mrs. Mythreye Chandra, Learned Special Government Pleader appearing for the First Respondent, Mr. U.Bharanidharan, Learned Additional Government Pleader appearing for the Second Respondent and Mr. C.Vigneswaran, Learned Counsel for the Third 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 23.06.2022 in the Second Appeal in Case No. SA 6344/F/2021, order dated 19.09.2022 in the Second Appeal in Case No. SA 9367/B/2022 and order dated 02.05.2023 in the Second Appeal in Case No. SA 1721/F/2023 filed by the Petitioner under Section 19(3) of the Right to Information Act, 2005



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(hereinafter referred to as the 'RTI Act' for short) had directed the First and Second Respondents 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 First and Second Respondents 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 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



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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. No costs.

19.10.2023

kv

Index: Yes/No

Note: Issue order copy by 18.04.2024.

To

1. The Public Information Officer/The Block Development Officer (V.P),
Office of the P.D.O.
Sirkali Panchayat Union,
Sirkali Taluk,
Myladuthurai District.
2. The Public Information Officer/The Thasildar,
Office of the Thasildar,
Sirkali Taluk,
Myladuthurai District.
3. The Tamil Nadu State Information Commission,
No. 19, Government Farm House,
Pernpet, Nandanam,
Chennai – 600035.

Copy to

P.Ezhilnathan,
S/o. Periasamy,
Kulankaraitheru, Tittai,
Sirkali – 609 110,
Myladuthurai District.



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P.D. AUDIKESAVALU, J.

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