



WEB COPY



W.P. No. 28669 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2023

CORAM

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

W.P. No. 28669 of 2023

S.Murthy

... Petitioner

-VS-

1. The State Information Commissioner,
O/o. Tamil Nadu State Information Commissioner (SCIC Section),
No. 19, Government Estate House, TANPED,
Nandanam,
Chennai – 600 035.

2. The First Appellate Authority,
Revenue Divisional Officer,
O/o. Tambaram RDO,
Tambaram,
Chennai – 600 045.

3. The Public Information Officer,
Deputy Tahsildar,
O/o. Deputy Tahsildar,
Tambaram Taluk,
Tambaram,
Chennai – 600 045.

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 initiate suitable proceedings against the Second and Third Respondents under Section 20(1) and 20(2) of the RTI Act for non furnishing the information and impose penalty and compensation for the same.



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For Petitioner : Mr. D.Bharathy

For Respondents : Mr. C.Vigneswaran (for R1)

Mr. U.Baranidharan,
Additional Government Pleader
(for R2 & R3)

ORDER

Heard Mr. D.Bharathy, Learned Counsel for the Petitioner, Mr. C.Vigneswaran, Learned Counsel for the First Respondent and Mr. U.Baranidharan, Learned Additional Government Pleader, who takes notice for the Second and Third Respondent, and perused the materials placed on record, apart from the pleadings of the parties.

2. According to the Petitioner, the First Respondent by order dated 09.01.2023 in Case No. SA 19743/SCIC/2022 had conveyed to him that if the information sought by him in his application dated 26.04.2021 from the Third Respondent is not furnished by 30.01.2023, he may approach the First Respondent for further orders in that regard and as he had not received it, a representation dated 06.02.2023 was made to the First Respondent by registered post, and its receipt has been acknowledged on 09.02.2023 and despite reminder dated 14.07.2023 sent by his Counsel, no further action has been taken, which has necessitated him to file this Writ Petition.



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3. Learned Counsel for the First Respondent, on instructions, states that in furtherance to the aforesaid representation made by the Petitioner before the First Respondent, the Second Appeal in S.A. No. 19743/SCIC/2022 has been posted for hearing on 30.10.2023 and that notice for the same would be sent to all parties concerned including the Petitioner and the Third Respondent and he has made an endorsement to that effect in the court record.

4. In such circumstances, the Petitioner, the Third Respondent and all other concerned parties shall attend the hearing on the said date as well as on the subsequent dates to which it is adjourned and extend their co-operation for the expeditious disposal of the matter. 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. It shall be ensured that there is atleast two effective hearings every month showing progress of the case.



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

costs.

06.10.2023

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 20.10.2023.

vjt

To

1. The State Information Commissioner,
O/o. Tamil Nadu State Information Commissioner (SCIC Section),
No. 19, Government Estate House, TANPED,
Nandanam,
Chennai – 600 035.
2. The First Appellate Authority,
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P.D. AUDIKESAVALU, J.

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