



WEB COPY



W.P. No. 29700 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2023

CORAM

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

W.P. No. 29700 of 2023

M. Sridhar

... Petitioner

-VS-

1. State Information Commissioner, Section "E",
The Tamil Nadu State Information Commission,
Block No. 19, Government Farm Village Panepet,
Nandanam,
Chennai – 600 035.
2. The Appellate Officer/The Revenue Divisional Officer,
Ponneri Revenue Division,
Ponneri – 601 204.
3. The Public Information Officer &
Personal Assistant to the Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Ponneri Revenue Division,
Ponneri – 601 204.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus to direct the Third Respondent to furnish the information requested by the Petitioner in the RTI application dated 14.09.2021.



W.P. No. 29700 of 2023

WEB COPY

For Petitioner : Mr. K.Balaji

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

Mr. S.J.Mohamed Sathik,
Government Advocate (for R2 and R3)

ORDER

Heard Mr. K.Balaji, Learned Counsel for the Petitioner, Mr. C.Vigneswaran, Learned Counsel for the First Respondent and Mr. S.J.Mohamed Sathik, 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 24.08.2022 in the Second Appeal in Case No. SA 16482/F/2021 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 and the Third Respondent was required to ensure its compliance and file report before the First Respondent.



W.P. No. 29700 of 2023

WEB COPY

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 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



W.P. No. 29700 of 2023

acknowledgment.

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

23.11.2023
2/4

Index: Yes/No
NCC: Yes/No

Note: Issue order copy by 18.04.2024.

nsl/vjt

To

1. State Information Commissioner, Section “E”,
The Tamil Nadu State Information Commission,
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Ponneri – 601 204.

Copy to



W.P. No. 29700 of 2023

M.Sridhar,
S/o. T.Murthi,
No. 42A, Thirupur Kumaran Street,
Puzhal,
Chennai – 600 066.



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W.P. No. 29700 of 2023

P.D. AUDIKESAVALU, J.

ns1/vjt

W.P. No. 29700 of 2023

23.11.2023

2/4