



W.P. No. 32776 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.12.2023

CORAM

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

W.P. No. 32776 of 2022

Dr. S.Sampathkumar

... Petitioner

-VS-

1. The Central Information Commission,
Baba Gangnath Marg,
Munirka,
New Delhi – 110067.
2. First Appellate Authority and General Manager (NW-2),
RTIA Cell, State Bank of India,
Local H.O.,
Nungambakkam,
Chennai – 600006.
3. The Central Public Information Officer,
State Bank of India,
Erode Main Branch,
D-4, State Bank Road,
Erode – 638001.
4. The Assistant General Manager,
State Bank of India,
Erode Main Branch,
D-4, State Bank Road,
Erode – 638001.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Third and Fourth Respondents to comply with the orders of the First Respondent dated 18.04.2022 in Second Appeal No. CIC/SBIND/A/2020/121220 and to furnish to the Petitioner copies of the Loan Sanction Advice and the Central Office Circulars regarding levy of interest from 24.12.2004 to 05.10.2015.



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W.P. No. 32776 of 2022

For Petitioners : Mr. T.M.Hariharan

For Respondents : Mr. Venkatasamy Babu,
Central Government Standing Counsel
(for R1)

Mr. M.Ganesh (for R2 to R4)

ORDER

Heard Mr. T.M.Hariharan, Learned Counsel for the Petitioner, Mr. Venkatasamy Babu, Learned Central Government Standing Counsel appearing for the First Respondent and Mr. M.Ganesh, Learned Counsel for the Second to Fourth 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 18.04.2022 in the Second Appeal in S.A. No. CIC/SBIND/A/2020/121220 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 fully furnished by the Third



W.P. No. 32776 of 2022

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 to Fourth 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.



W.P. No. 32776 of 2022

WEB COPY

07.12.2023

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Index: Yes/No

Note: Issue order copy by 18.04.2024.

To

1. The Central Information Commission,
Baba Gangnath Marg,
Munirka,
New Delhi – 110067.
2. The First Appellate Authority and General Manager (NW-2),
RTIA Cell, State Bank of India,
Local H.O.,
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W.P. No. 32776 of 2022

Copy to

Dr. S.Sampathkumar,
S/o. Subramanian,
H-14, Periyar Nagar,
Erode – 638 011.



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W.P. No. 32776 of 2022

P.D. AUDIKESAVALU, J.

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W.P. No. 32776 of 2022

07.12.2023