



W.P. No. 1278 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2024

CORAM

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

W.P. No. 1278 of 2024

T.V.Kamalanathan

... Petitioner

-VS-

1. Public Information Officer/
Zonal Deputy Tahsildar
Office of Tahsildar
Avadi Taluk, Thiruvallur District.

2. Public Information Officer/
Appellate Officer
Office of Avadi Municipality
Avadi, Chennai - 600054.

3. The Commissioner
The State Public Information Commission
No.2, Thyagaraja Road
Teynampet, Chennai - 18.

... 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 provide necessary particulars as sought for under Right to Information Act in the light of order dated 08.09.2023 passed by the Third Respondent vide his Enquiry proceedings S.A. 3813 and 9129/C/2021 within a time frame as fixed by the Court.

For Petitioner : Mr. S.John Josh



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For Respondents : Mr. G.Nanmaran, SGP (for R1 & R2)

Mr. C.Vigneswaran (for R3)

ORDER

Heard Mr. S.John Josh, Learned Counsel for the Petitioner, Mr. G.Nanmaran, Learned Special Government Pleader appearing for the First and Second Respondents 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. 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 dated 08.09.2023 in Case Nos. SA 3813 & 9129/C/2021 passed by the Third 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 the Act requires the State Information Commission to ensure compliance of its orders, the Third Respondent ought to have fixed time frame for the First Respondent to comply with its directions passed on 08.09.2023 and posted the matter for reporting



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compliance. Since that exercise has not taken place, Learned Counsel for the Petitioner seeks permission of the Court to withdraw the Writ Petition reserving the rights of the Petitioner to resort to the said procedure, and he has made an endorsement to that effect in the court record.

In the result, the Writ Petition is dismissed as withdrawn with the aforesaid clarifications. No costs.

22.01.2024

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 22.05.2024.

Maya

To

1. Public Information Officer/
Zonal Deputy Tahsildar
Office of Tahsildar
Avadi Taluk, Thiruvallur District.
2. Public Information Officer/
Appellate Officer
Office of Avadi Municipality
Avadi, Chennai - 600054.
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P.D. AUDIKESAVALU, J.

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