



W.P.No.16443 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.06.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.16443 of 2024

R.Pachayappan

...Petitioner

Vs.

1.The District Revenue Officer,
District Collector Officer Campus,
Villupuram District.

2.The Second Appellate Authority,
Tamil Nadu State Information Commission,
Nandhanam, Chennai – 600 035.

3.The First Appellate Authority,
Revenue Thasildhar,
Thasildhar Office, Gingee Taluk,
Villupuram District.

4.The Public Information Officer,
Header by Deputy Thasildhar,
Thasildhar Officer, Gingee Taluk,
Villupuram District.

...Respondents

Prayer: Writ Petition is filed under Article 226 to issue a direction to



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the 1st and 4th respondents herein to comply with the order dated 30.05.2023 passed by the 2nd respondent in NC 676/C/2023 (SA 11066/C/2022).

For Petitioner : Ms. P.Amala

For Respondents : Mr. Shahjahan
1, 3 and 4 Special Government Pleader

For Respondent 2: Mr. C.Vigneswaran.

ORDER

The Writ Petition has been filed seeking mandamus to the 1st and 4th respondents to comply with the order dated 30.05.2023 passed by the 2nd respondent.

2. The petitioner would submit that his mother owned lands in S.No.28/5 measuring 38 ares and S.No.28/6 measuring 39 ares in Periyamur Village, Gingee Taluk. The petitioner's mother's name was included in the joint patta No.222. Without his mother selling the property, all of a sudden the name of one Pugazhendhi has been



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substituted with reference to the lands measuring 39 ares in S.No.28/6.

On coming to know about the same, the petitioner had filed a petition on 07.11.2021 under the Right to Information Act before the 4th respondent seeking clarification as to the documents based upon which the name change had been done. There was no reply to the said request.

3. Therefore, the petitioner had filed First Appeal before the 3rd respondent. Even the 3rd respondent had failed to respond to the request. Therefore, the petitioner had filed the Second Appeal before the 2nd respondent. By order dated 08.12.2022, the 2nd had directed the 4th respondent to provide all the required information, failing which it was informed that the 4th respondent would be charged under Section 20 (1) and 19 (8) (b) of the RTI Act. Despite such a direction, the 4th respondent has not complied either with the order or the request of the petitioner.



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4. In the light of the above, the petitioner had filed non-compliance petition before the 2nd respondent and the said petition was ordered on 30.05.2023, wherein the 1st respondent had been directed the departmental action to be taken against the officers under Section 20(2) of the RTI Act and directed the 4th respondent to pay compensation of a sum of Rs.20,000/- to the petitioner under Section 19 (8) (b) of the RTI Act. This order has also been observed in the breach. Therefore, the petitioner has filed the above Writ Petition.

5. The narration of the above facts clearly display the total apathy of the 4th respondent to the orders of his superior itself and the utter disregard and disrespect to orders. The conduct is absolutely contumacious. The information has been sought for as early as in the year 2021 and despite the directions being issued by the 2nd respondent the request has not been complied with. It is also noticed from the impugned order that the 2nd respondent has stated that the 1st and 4th respondents are not maintaining the records properly in their office and direction had been issued to the District Revenue Officer to conduct



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special enquiry to investigate as to how the documents sought for under the RTI Act by the petitioner had gone missing.

6. Therefore, the Writ Petition is allowed issuing mandamus to the 1st and 4th respondents to forthwith comply with the order dated 30.05.2023 passed by the 2nd respondent. Since the respondents are represented by the Special Government Pleader it shall not be stated that they have not been put on notice about the orders of this Court.

7. Post the matter under the caption “*For Reporting Compliance*” on 10.07.2024.

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Index : Yes/No
Internet : Yes/No
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Note: Issue Order copy on 25.06.2024.



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To

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District Collector Officer Campus,
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P.T. ASHA, J,

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