



W.P. No. 3510 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2024

CORAM

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

W.P. No. 3510 of 2024

M.Amirthavalli

... Petitioner

-VS-

1. The Tamil Nadu State Information Commission,
Block No.19, Government Farm Village,
Panepet, Nandanam, Chennai 600 035.
 2. The First Appellate Authority under the Right to Information Act,
Personal Assistant to the Collector (Gen)
Office of the District Collector,
Nagapattinam 611 003.
 3. The Public Information Officer (PIO),
Assistant Block Development Office (Gen),
Panchayath Union,
Vedaranyam Nagapattinam District 614 810.
- Respondents

...

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents, more particularly the Third Respondent, to furnish the information sought-for vide the Petitioner's/RTI Request for Information letter dated 28.11.2022 viz., the width of the village road/pathway (marked 'B' in the sketch) from the wall of the Railway Gate No.19 subway and the private land on its Southern side as per the enclosed sketch thereto in Manakakkadu village, Vedaranyam Taluk, Nagapattinam District.



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For Petitioner : Mr. K.F.Manavalan
For Respondents : Mr. C.Vigneswaran, (for R1)
Mr. V.Ravi (for R2 and R3)
Special Government Pleader

ORDER

Heard Mr. K.F.Manavalan, Learned Counsel for the Petitioner, Mr. C.Vigneswaran, Learned Counsel, who takes notice for the First Respondent, and Mr. V.Ravi, Learned Special Government Pleader, who takes notice for the Second and Third Respondents, and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that she had made application dated 28.11.2022 to the Third Respondent seeking information relating to the width of the village road/pathway (marked 'B' in the sketch) from the wall of the Railway Gate No.19 subway and the private land on its Southern side as per the enclosed sketch thereto in Manakakkadu village, Vedaranyam Taluk, Nagapattinam District, but as it did not evoke any response, it has necessitated the filing of this Writ Petition.



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3. Learned Counsel for the First Respondent filed memo dated 16.01.2024

in which it has been stated as follows:-

“ It is submitted the Petitioner filed Second Appeal under Section 19(3) of the RTI Act on 26.06.2023 and the same was returned by the commission for want of documents vide checklist in file no. C.No.40155/B/2023. In furtherance of the same the petitioner vide letter dated 14.08.2023 represented the second appeal along with the documents sought by the commission and the same was received by the commission on 16.08.2023. After scrutinizing the same the Commission once again returned the same to the Petitioner again for want of further documents related to the appeal vide checklist dated 16.08.2023 in file number 50569.”

It is evident from the said memo that the papers of the second appeal filed by the Petitioner have been returned to her.

4. In such circumstances, Learned Counsel for the Petitioner states that it is only today that he has come to know that the papers of the Second Appeal filed by the Petitioner have been returned, and that the Petitioner would re-present it



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immediately.

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5. In view of the same, nothing remains for further consideration in the Writ Petition, but if the Petitioner still has any grievance to be redressed in the matter, she is not precluded from working out her rights before the proper forum in the manner recognized by law.

In fine, the Writ Petition is disposed with the aforesaid observations. No costs.

16.02.2024

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 18.04.2024.

gsa

To

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P.D. AUDIKESAVALU, J.

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