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W.P.No.8717 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2024

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.8717 of 2024

M.D.Alagiri

... Petitioner

Vs

1.The Commissioner
Tamil Nadu State Information Commission
No.19, Government Farm House,
Penpettai, Nandanam,
Chennai – 600035

2.The Public Information Officer/Divisional Engineer (Ne)
Building & Maintenance High Way Department,
Cuddalore District. ... respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a WRIT OF MANDAMUS or any writ, order of direction in the nature of Writ of Mandamus directing the 1st respondent to



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dispose the petitioner representation dated 20.01.2024 requesting to take action against the 2nd respondent under Section 20 (1), 20 (2) and 19 (8) (b) of the Right to Information Act, for non-providing the details as sought by the petitioner.

For Petitioner : Mr. S.Mohanasundararajan.

For respondent 2 : Mr. P.Ganesan.

ORDER

The above Writ Petition has been filed for the following relief:

“To direct the 1st respondent to dispose the petitioner's representation dated 20.01.2024 requesting to take action against the 2nd respondent under Section 20 (1), 20 (2) and 19 (8) (b) of the Right to Information Act, for non-providing the details as sought by the petitioner.”



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2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader.

3. The petitioner would submit that by an order dated 16.02.2022, the 1st respondent had directed the 2nd respondent to furnish details as sought for in the petitioner's application under Section 6 (1) of the Right to Information Act, herein after called the Act.

4. The petitioner has sought for the following details:

*“(1) Chidambaram Taluk Sakangudi Village
Highway Survey number.*

(2) Chidambaram Taluk Sakangudi Village, S.No.5



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via Highway from beginning to end as per the village record and for the details of 30 years as to howmany times formation of road in S.No.5 and details of length, width and height of survey number; and

(3) Rendition of accounts and completion certificate and quality certificate relating to Sakangudi S.No.5 for a period of 30 years.”

5. Despite such a direction being issued, the 2nd respondent has totally ignored the direction given by the 1st respondent. The petitioner has also filed an appeal under Section 19 (1) of the Act. The 1st respondent had after conducting an enquiry held that the 2nd respondent had failed to furnish the requisite details and the 2nd respondent was once again directed to give the details under the directions of the 1st respondent dated 30.11.2023. The petitioner would submit that the 2nd



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respondent had only complied with a portion of the request. Since the 2nd respondent had once again not complied with the order, a representation has been made to the 1st respondent on 20.01.2024 and it is this representation that the petitioner wants to be considered.

6. Considering the limited scope of the Writ Petition, the same is allowed. The 1st respondent is directed to dispose of the petitioner's representation dated 20.01.2024, within a period of four weeks from the date of receipt of a copy of this order. No costs.

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Index : Yes/No

Speaking order/non-speaking order



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P.T.ASHA, J.,

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