



WEB COPY



W.P. No. 20363 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2024

CORAM

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

W.P. No. 20363 of 2021

P.Yuvaraj

... Petitioner

-VS-

1. The State Chief Information Commissioner,
Tamil Nadu State Information Commission,
No. 2, Thiyagaraya Road,
Teynamet,
Chennai – 600 018.
2. The Appellate Authority (Under RTI Act)/Tahsildar,
Bhavani Taluk,
Erode District.
3. The Public Information Officer (Under RTI Act)/
Headquarters Deputy Tahsildar,
O/o. Tahsildar,
Bhavani Taluk,
Erode District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Third Respondent to furnish the information sought for by the Petitioner vide his application dated 13.08.2018 pursuant to the telephonic directions of the First Respondent/State Information Commission dated 08.10.2020 as disclosed in the letter of the Third Respondent dated 07.10.2020 within the time fixed by the Court.



W.P. No. 20363 of 2021

For Petitioner : Mr. I.Murugan

For Respondents : Mr. C.Vigneswaran,
Standing Counsel (for R1)

Mr. B.Vijay,
Additional Government Pleader
(for R2 & R3)

ORDER

Heard I.Murugan, Learned Counsel for the Petitioner, Mr. C.Vigneswaran, Learned Standing Counsel appearing for the First Respondent and Mr. B.Vijay, Learned Additional Government Pleader appearing for the Second and Third Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed for directing the Third Respondent to furnish the information sought by the Petitioner in his application dated 13.08.2018 pursuant to the telephonic directions of the First Respondent dated 08.10.2020 as disclosed in the letter dated 07.10.2020 of the Third Respondent within the time limit that may be fixed by the Court.



W.P. No. 20363 of 2021

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3. Though the Petitioner states that oral order has been passed by the First Respondent on 08.10.2020, there is nothing to show from the records that any such order has been passed.

4. Learned Standing Counsel appearing for the First Respondent, on instructions, states that the second appeal filed by the Petitioner is still pending before the First Respondent and that it would be listed for hearing as per the chronological sequence of filing in due course. The said submission is placed on record.

5. In view of the same, the second appeal said to have been preferred filed by the Petitioner before the First Respondent shall be listed on 05.06.2024. 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. The Petitioner and the Second and Third Respondents shall appear for the said hearings without fail. 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



W.P. No. 20363 of 2021

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.

10.01.2024

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 10.05.2024.

vjt

To

1. The State Chief Information Commissioner,
Tamil Nadu State Information Commission,
No. 2, Thiyagaraya Road,
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Chennai – 600 018.
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Erode District.



W.P. No. 20363 of 2021

Copy to

P.Yuvaraj,
S/o. Periyasamy,
Periyandi Gounder Thottam,
Komarayanur Post,
Anthiyur Taluk,
Erode District.



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W.P. No. 20363 of 2021

P.D. AUDIKESAVALU, J.

vjt

W.P. No. 20363 of 2021

10.01.2024