



W.P.(MD) No.19342 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.19342 of 2018

U.Thaga Mydeen

... Petitioner

/vs./

1.The State Information Commissioner,
O/o. the State Information Commission,
No.2, Near Aalai Amman Kovil,
Aalaiaimman Kovil Street,
T.nagar Chennai 600 018.

2.The First Appellate Authority under
Right to Information Act,
Tamil Nadu Wakf Board,
No.1, Jaffer Syrang Street,
Vallal Sethakathi Nagar,
Chennai 600 007.

3.The Public Information Officer,
under Right to Information Act,
O/o. the Superintendent of Wakf,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondent No-1 to dispose the



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petitioner's RTI Appeal dated 19.05.2018 within a stipulated period fixed by this Court.

For Petitioner : Mr.K.C.Ponrajendran

For R1 : M/s.Devasena
Standing Counsel

For R2 & R3 : Mr.D.S.Haroon Rasheed
Standing Counsel

ORDER

The petitioner has filed this writ petition for a Mandamus to direct the first respondent to dispose of the petitioner's RTI Appeal dated 19.05.2018 within a stipulated period fixed by this Court.

2.Opposing the prayer in the writ petition insofar as the imposition of penalty on the respondents 2 and 3 is concerned, the learned Standing Counsel for the respondents would submit that the representation of the petitioner to the third respondent and further appeal to the first respondent were wrongly addressed to Madurai instead of Chennai. It is submitted that the representation and the further appeal of the petitioner were never received by the respondents 2 and 3 and the correct address is as follows:-



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	<i>Public Information Officer</i>	<i>Appellate Authority</i>
<i>Head Office</i>	<i>Janaba Ayissha, Superintendent of Waqfs, Head Office, Tamil Nadu Waqf Board, Chennai -1. (State Level)</i>	<i>Assistant Secretary – II, Tamil Nadu Waqf Board, Chennai -1, (State Level)</i>

3.It is therefore submitted that the penalty should not be imposed on the respondents 2 and 3.

4.Considering the above, the petitioner is directed to submit a copy of the RTI application dated 06.11.2017 with the Superintendent of Waqfs, Head Office, Tamil Nadu Waqf Board, Chennai – 1 (State Level) within a period of 30 days from the date of receipt of a copy of this order. On its receipt, the Superintendent of Waqfs, Head Office, Tamil Nadu Waqf Board, Chennai – 1 (State Level) shall dispose of the same within a period of 30 days thereafter strictly in accordance with the provisions of the RTI Act, 2005.



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5. With the above directions, the Writ Petition stands disposed of. No costs.

Index : Yes / No
Internet : Yes / No
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Copy to

The Superintendent of Waqfs,
Head Office,
Tamil Nadu Waqf Board, Chennai – 1 (State Level).



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