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W.P.No.7757 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2025

CORAM :
THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.7757 of 2025

K.Selva Kumar

... Petitioner

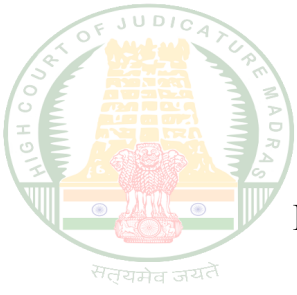
Vs.

1.The Appellate Authority under RTI Act,
Office of the Tahsildar,
Gandhi Road, Puzhal,
Madhavaram Taluk,
Chennai – 600 066.

2.The Public Information Officer,
(Deputy Tahsildar),
Office of the Tahsildar,
Gandhi Road, Puzhal,
Madhavaram Taluk,
Chennai – 600 066.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Mandamus directing the first respondent to consider the statutory appeal dated 23.11.2024 and thereby direct the first respondent to hand over the documents to the writ petition within a time frame fixed by this Hon'ble Court and direct the second respondent to pay compensation in accordance with law.



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For Petitioner : Mr.G.Ilamurugu

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For Respondents : M/s.P.Aishwarya,
Government Advocate

ORDER

The petitioner has filed this petition seeking to direct the first respondent to consider the statutory appeal dated 23.11.2024 and thereby direct the first respondent to hand over the documents to the writ petition within a time frame fixed by this Court and direct the second respondent to pay compensation in accordance with law.

2. Since no adverse order is being passed, this writ petition is taken up for final hearing.

3. The case of the petitioner is that he has purchased the property comprised in Survey No.15/1B1 from one A.S.Jagangir through his power agent Mr.John Rose under a registered sale deed dated 12.11.2007 and registered as Doc.No.12264/2007. During the month of August 2024, when the petitioner came to the property in order to effect sale of the property in



favour of third parties and found that there was some encumbrances made by some third parties, who were not at all entitled to the said property.

Moreover, a patta was issued in favour of one Mrs.Ambiga for the said property. In this regard, the petitioner sent an application under Section 6 of the Right to Information Act before the second respondent, but the same was not considered till date. Since there was no reply, the petitioner has preferred an appeal before the first respondent on 23.11.2024, which was also not considered. Hence, the petitioner has come forward with the present writ petition.

4. Learned counsel for the petitioner would submit that as per Section 19 of the Right to Information Act, the statutory appeal has to be considered within a period of thirty (30) days from the date of receipt of an appeal. However, in the case on hand, the said appeal dated 23.11.2024 has not been considered by the first respondent, even after a lapse of 30 days as prescribed in the aforesaid Act.

5. Learned Government Advocate appearing for the respondents would



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submit that the appeal dated 23.11.2024, which is preferred by the petitioner will be considered by the first respondent on merits and in accordance with law, within a time frame to be fixed by this Court.

6. Heard the learned counsel on either side and perused the materials available on record.

7. In view of the submission made by the learned counsel for the petitioner as well as the learned Government Advocate appearing for the respondents, this Court directs the first respondent to consider the appeal filed by the petitioner on 23.11.2024 on merits, in accordance with law and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order.

8. This writ petition is disposed of with the above observation and directions. No costs.



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Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

To:

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J.SATHYA NARAYANA PRASAD,J.

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