



W.P.No.10226 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.10226 of 2025

R.Vijaya Samundeeswari

...Petitioner

-Vs-

1.The Commissioner,
Tamil Nadu Information Commission,
Nandanam, Chennai – 600 035.

2.The First Appellate Authority,
O/o.Tindivanam Taluk,
Tindivanam – 604 001.

3.The Information Officer,
O/o.Sub Collector,
Tindivanam.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus, directing the 1st respondent to dispose petitioner second appeal in Ref.No.SA.No.16713 of 2024 within a period of stipulated time in accordance with law and consequently issue suitable directions to the respondents 2 and 3 to furnish the information as per the RTI application dated 28.09.2024 and pass such further orders.



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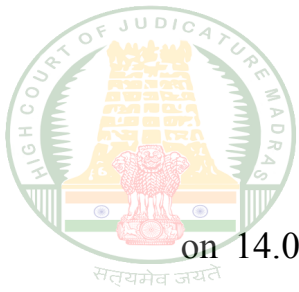
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For Petitioner : M/s.D.Bharathy
For R1 : Mr.C.Vigneshwaran,
Standing Counsel
For R2 & R3 : Mrs.R.L.Karthika,
Government Advocate

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the 1st respondent to dispose of the petitioner's second appeal in Ref.No.SA.No.16713 of 2024 within a period of stipulated time in accordance with law and consequently issue suitable directions to respondents 2 and 3 to furnish the information as per the RTI application dated 28.09.2024.

2. The petitioner owns a property in Survey Nos.61/1B1 and 61/1B2 with Patta No.245, which has been in their exclusive possession. However, based on a joint compromise memo, a third party applied for a name transfer, and the Sub-Collector issued an order on 27.05.2024 without verifying the petitioner's title documents. The petitioner filed an appeal before the DRO



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on 14.06.2024, which is still pending. To obtain crucial land records, the petitioner filed an RTI application on 28.09.2024, followed by a first appeal on 05.11.2024, both of which were ignored. A second Appeal (S.A. No. 16713 of 2024) was filed before the 1st respondent on 23.12.2024, but no enquiry notice has been received. Meanwhile, third parties are attempting to sell the property for Rs.9 crores, taking advantage of the delay.

3. Learned counsel appearing for the petitioner submits that the RTI Act mandates the timely disclosure of information, which respondents 2 and 3 failed to comply with. Due to this delay, fraudulent property transactions are being attempted. The Sub-Collector passed the order without verifying revenue records, causing hardship to the petitioner. The first and second RTI appeals remain unattended, violating statutory obligations. The petitioner, belonging to a weaker section, is struggling to assert their legal rights.

4. Learned Standing Counsel appearing for the first respondent submits that the petitioner's second appeal in Ref.No.SA.No.16713 of 2024 would be considered on merits, in accordance with law, within a time frame stipulated by this Court.



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WEB COPY 5. Heard both sides and perused the materials available on record.

J.SATHYA NARAYANA PRASAD, J.

6. Without going into the merits of the case, the first respondent is directed to dispose of the petitioner's second appeal in Ref.No.SA.No.16713 of 2024 on merits, in accordance with law, and pass appropriate orders within a period of three months from the date of receipt of a copy of this order.

In the result, the writ petition stands disposed of with the above observation and direction. No costs.

26.03.2025

cda

Index : Yes/No

Speaking/Non Speaking order

To

1.The Commissioner,
Tamil Nadu Information Commission,
Nandanam, Chennai – 600 035.

2.The First Appellate Authority,
O/o.Tindivanam Taluk,
Tindivanam – 604 001.



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3.The Information Officer,
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