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WP.No.15522 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.06.2025

CORAM

THE HONOURABLE MRS JUSTICE N.MALA

WP.No.15522 of 2025

Logiah.N,
S/o.Narasimmalu,
No.7/3,Somasundaram 5th Street,
Ayanavaram, Chennai-600 023.

Petitioner(s)

Vs

1.The Tamilnadu State Information Commission,
Block No.19, Government Farm Village,
Panepet, Nandanam, Chennai-600 035.

2.The Appellate Authority,
Public Information Officer,
Deputy Registrar, Chennai Region,
Nandanam, Chennai-35

3.The Public Information Officer,
The District Registrar (Central Madras),
No.182, Bharathi Salai, Royapetah,
Chennai-600 014.

Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 1st respondent to dispose the Non compliance petition vide C.No.5006/SCIC/2024 on an expeditious basis within the time frame fixed by this Court.



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For Petitioner(s): M/s.L.Thiyagaiya

For Respondent(s): Mr.C.Vigneshwaran,
Standing Counsel for R1

Mr.R.Sasikumar,
Government Advocate for R2 & R3

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the 1st respondent to dispose of the Non compliance petition vide C.No.5006/SCIC/2024 on an expeditious basis.

2. The Petitioner, a senior citizen and former executive member of the B&C Mills Staff Union, alleges that a property measuring 2400 sq. ft. in Perambur, Chennai, purchased in 1964 using union funds, were illegally sold in 2019 by the former Secretary, Mr.Sriramalu, and Mr.S.K.Mahendran, Ex-MLA, without proper authority or consent. A complaint dated 13.02.2021 was submitted by the Petitioner and other former union members. After receiving no satisfactory update, the Petitioner filed an RTI application on 18.11.2021 seeking information about the sale. Despite filing a first and second appeal under the RTI Act and being directed by the State Information Commission



(SIC) on 14.12.2023 to provide proper and question-wise replies, the 3rd

Respondent failed to comply. The Petitioner then filed a Non-Compliance

Petition on 25.01.2024 and followed up multiple times, including submission of a corrected petition on 12.02.2025. However, the information sought has still not been provided, prompting the filing of this Writ Petition.

3. The learned counsel for the Petitioner submits that the sale of the union's property was fraudulent, done without legal authority or a valid General Body meeting, and that the Respondents have withheld vital information regarding the illegal transaction. Despite several efforts through the RTI process and the SIC's order directing disclosure, the 3rd Respondent failed to provide complete and relevant replies to the petitioner. He argues that this amounts to wilful non-compliance of a statutory order, and that the continued denial of information frustrates the petitioner's right under the RTI Act and hinders accountability in the misuse of union property.

4. Learned Standing Counsel appearing for the first respondent would submit that the Non compliance petition vide C.No.5006/SCIC/2024 would be considered on merits, in accordance with law within a time frame stipulated by



this Court.

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

6. Without going into the merits of the case, the first respondent is directed to dispose of the non compliance petition in NC.No.255/SCIC/2025 after conducting a detailed enquiry by giving due notice to the petitioner, affording an opportunity of personal hearing, taking into consideration all the relevant documents submitted by the petitioner in regard to the subject matter property and pass appropriate orders on merits, in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order.

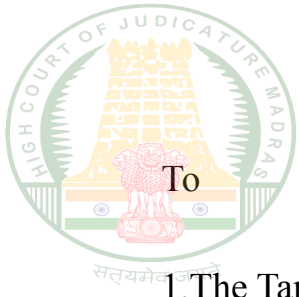
In the result, the writ petition stands disposed of with the above observations and direction. No costs.

18.06.2025

cda/dsn

Index: Yes/No

Speaking/Non-speaking order



To

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N.MALA,J.

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