



WEB COPY

WP.No.15328 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-06-2025

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THE HONOURABLE MRS JUSTICE N. MALA

WP.No.15328 of 2025

R.Selvaraj,
S/o.(late) Ramasamy, Kolathupalayam,
Ganapathipalayam Post,
Erode-638 153.

Petitioner(s)

Vs

1.The Tamil Nadu Information Commissioner,
The Second Appellate Authority (RTI Act, 2005), Block
No.19, Government Farm Village,
Panepet, Nandanam,
Chennai-600 035.

2.The Managing Director,
Tamil Nadu State Transport Corporation Ltd,
37, Mettupalayam Road, Coimbatore-43.

3.The Assistant Public Information Officer,
Office of the General Manager,
Tamil Nadu State Transport Corporation (Coimbatore) Ltd,
Chennimalai Road, Erode-1.

Respondent(s)



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 first respondent to dispose second appeal filed by the petitioner on 18.10.2024 under Section 19 (3) of Right to Information Act, 2005 and consequently direct the respondents to furnish the particulars/document claimed through Right to Information Act, 2005 within a stipulated time fixed by this Court and pass such further orders.

For Petitioner(s): Mr.N.Senthil Kumar

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

Mr.Muralivinoth for R2 & R3

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the first respondent to dispose second appeal filed by the petitioner on 18.10.2024 under Section 19 (3) of Right to Information Act, 2005 and consequently directing the respondents to furnish the particulars/document claimed through Right to Information Act, 2005.

2. The petitioner, formerly employed as a driver with the Tamil Nadu State Transport Corporation (Erode Region), was dismissed following an accident on 27.08.2011. The Corporation sought approval of the dismissal under Section 33(2)(b) of the Industrial Disputes Act before the Special Deputy Commissioner of Labour, who rejected the approval in AP.No.320 of 2014 on

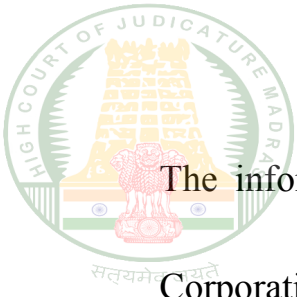


09.01.2018. The petitioner subsequently filed a writ petition for implementation of the said order, while the Corporation challenged it in a separate writ petition.

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Both the writs were disposed of by a common order dated 14.02.2020, affirming the Labour Commissioner's order and directing its implementation. When the Corporation failed to comply, the petitioner initiated contempt proceedings. The Corporation later filed a writ appeal, which was disposed of on 29.03.2023, holding that the petitioner was entitled to all terminal benefits, excluding back wages. However, the petitioner alleges that only part of the entitled amount has been settled. To ascertain the exact dues, he filed RTI applications in 2023 and 2024 seeking relevant service records, but the information was either inadequately furnished or not provided at all. Despite pursuing first and second appeals under the RTI Act, no response has been received, prompting the present writ petition.

3. Learned counsel for the petitioner contends that despite the writ appeal order entitling him to terminal benefits, the Corporation has not settled the full amount due. His repeated efforts to obtain service-related records and financial particulars through RTI applications have been stonewalled by the authorities.



The information sought pertains to recorded data already available with the Corporation and is essential for substantiating his claim to terminal benefits.

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The deliberate non-disclosure by the respondents amounts to a violation of the RTI Act. As his second appeal filed before the State Information Commission on 18.10.2024 remains pending without action, the petitioner seeks a Writ of Mandamus directing the Commission to dispose of the appeal and compel the respondents to furnish the required documents within a stipulated time frame.

4. Learned Standing Counsel appearing for R1 submits that the second appeal filed by the petitioner dated 18.10.2024 was returned for rectification, which is mentioned in clause 14 of the communication sent to the petitioner dated 12.12.2024.

5. In view of the above, the learned counsel for the petitioner submits that the petitioner has not received any such communication. He further submits that he is ready to rectify the mistake and represent the second appeal.

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

7. In view of the above facts and circumstances of the case, this Court is inclined to pass the following directions:



a) The petitioner is directed to rectify the mistake in the second appeal and represent the same before the first respondent.

b) On receipt of the said second appeal, the first respondent is directed to number the same, and after numbering, the same shall be disposed of within a period of six (6) weeks from the date of representation of the second appeal.

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

30-06-2025

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To

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