



W.P.No.22473 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2025

CORAM :

THE HONOURABLE MRS.JUSTICE N.MALA

Writ Petition No.22473 of 2025

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M.Govindhan

... Petitioner

Vs.

1.The Block Development Officer cum
Appellate Authority under RTI Act,
Harur Union,
Dharmapuri District.

2.The Public Information Officer cum,
Deputy Block Development Officer,
Harur Union,
Dharmapuri District.

3.The Panchayat Secretary,
Baiyarnayakkanpatti Panchayat,
Harur Taluk,
Dharmapuri District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India,
praying for issuance of Writ of Mandamus, to direct the respondents to
furnish the information sought by the petitioner under his representation dated
17.02.2025 within the time frame fixed by this Court.

For Petitioner : M/s.R.Geethalakshmi

For Respondents : M/s.P.Selvi

Government Advocate

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ORDER

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This petition has been filed to direct the respondents to furnish the information sought by the petitioner in his representation dated 17.02.2025, within a time frame fixed by this Court.

2.M/s.P.Selvi, learned Government Advocate takes notice for the respondents.

3. By consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

4. The petitioner submitted a representation on 22.07.2024, under the Right to Information Act, 2005, seeking detailed information regarding the implementation of various Government Schemes and Administrative functioning, pertaining to hand pumps, overhead tanks and borewells, panchayat accounts, employee details and the role of a particular individual, among others, in Baiyarnayakkanpatti Village Panchayat. On receipt of the same, the 2nd respondent directed the petitioner to pay a sum of Rs.4,732/-



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for furnishing the information under specified points. The petitioner paid the said amount on 18.04.2024. However, no action was taken by the respondents thereafter. The petitioner therefore submitted a reminder/representation to the respondents requesting expeditious action on the information requested, but no action was taken. Aggrieved by the inaction of respondents, the petitioner filed the above writ petition.

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

6. It is seen that under Section 7 of the Right to Information Act (in short 'Act'), the Central Public Information officer (CPIO) or State Public Information officer (SPIO) must respond to an RTI request expeditiously (i.e.) within a period of 30 days from the date of receipt of the request.

In case, the PIO fails to furnish the information within the stipulated time, the petitioner has a right of appeal under Section 19(1) of the Act, before the first respondent. Though the petitioner has an alternative remedy, he has

approached this Court without exhausting the same. Furthermore, the

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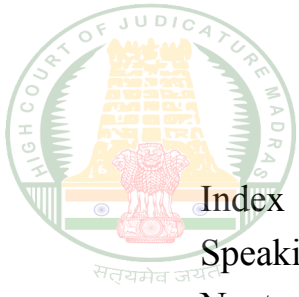
petitioner has not assigned any reason for bypassing the alternative remedy provided under Section 19(1) of the Act. Therefore, in the absence of any justifiable reasons for not pursuing the alternative remedy, I am not inclined to entertain the writ petition.

7. Accordingly, the writ petition is dismissed. However, liberty is granted to the petitioner to exhaust the alternative remedy available under the Act. If the petitioner files an appeal within a period of two(2) weeks from the date of receipt of a copy of this order, the first respondent shall entertain the appeal without reference to the limitation period. The 1st respondent shall thereafter consider the appeal and pass appropriate orders on merits and in accordance with law, within a period of six (6) weeks. However, if the petitioner fails to file the appeal within the above stipulated time, the 1st respondent shall be at liberty to consider the issue of limitation while considering the appeal. No costs.

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msv

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

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To:

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N.MALA,J.

msv

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