



WEB COPY

WP No. 27503 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-08-2025

CORAM

THE HONOURABLE MRS.JUSTICE N. MALA

WP No. 27503 of 2025

1. P.R.Chandra Mogan
Office Of Law Chamber, Old Court
Road, Gudalur, Gudalur And Post, The
Nilgiris

Petitioner(s)

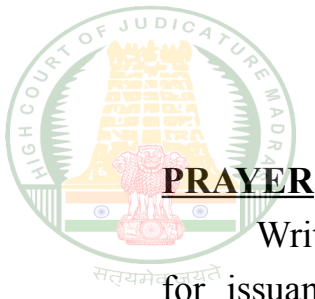
Vs

1. The State Information Officer
The Tamil Nadu State Information
Commission, Blk No.19 Panipet,
Nandanam, Chennai-600035.

2.The First Appellate Authority
Gudalur Municipality Commissioners
Office, Gudalur, The Nilgiris -643212

3.The Public Information Officer
Gudalur Municipality Commissioners
Office, Gudalur, The Nilgiris. -643
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Respondent(s)



PRAYER

Writ petition filed under Article 226 of the Constitution of India praying for issuance of writ of mandamus directing the Respondents to forthwith consider and process the Petitioner's Applications dated 27.12.2024 wherein petitioner have sought information from the 3rd Respondent and to furnish appropriate replies to the queries raised therein within a time frame stipulated by this Court.

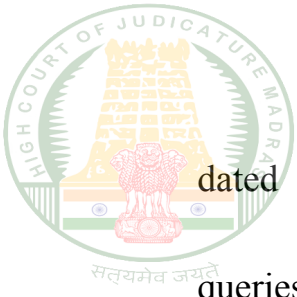
For Petitioner(s): S.Rajmakesh
Avanthika Vasu
R. Dinesh Khanth
R. Danyuktaa Shruti
G.R. Sriram Kumar

For Respondent: Mr.C.Vigneshwaran, Standing
counsel for R1
Dr.T.Seenivasan, Spl.GP for
RR2&3

ORDER

(1) MR.C.Vigneshwaran, learned Standing counsel accepts notice on behalf of the 1st respondent and Dr.T.Seenivasan, learned Special Government Pleader accepts notice on behalf of the respondents 2 and 3. With the consent of both the learned counsels, the main writ petition is taken up for final disposal at the admission stage itself.

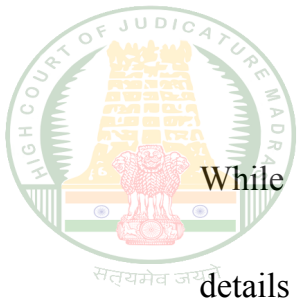
(2) The petitioner has filed the above writ petition for a mandamus directing the respondents to forthwith consider and process the Petitioner's Application



dated 27.12.2024, whereunder the petitioner sought information on the queries raised by him, from the 3rd Respondent, within a time frame fixed by this Court.

(3) The petitioner is the Legal Representative of M/s. Atchaya Associates.

According to the petitioner, the Firm was awarded a valid contract by the Gudalur Municipality under the Tamil Nadu Government's Solid Waste Management Scheme, effective from 21.09.2024, for a period of three years, pursuant to a tender in ID No.33552/2022/EA1. The petitioner further states that the contract was duly executed and satisfactorily performed during 2023 without any complaint or default by the petitioner. The petitioner states that the Commissioner of Gudalur Municipality, initiated malicious administrative actions against the Firm including misrepresentations and contradictory Agendas and placed the same before the Municipal Council. The petitioner states that the Commissioner of Gudalur Municipality, by letter dated 23.12.2024, made vague and unsubstantiated allegations of 'consistent under-performance' of the works entrusted to the petitioner, thereby misleading the Municipal Council and in gross violation of the statutory procedures and norms.



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While so, the petitioner submitted a representation seeking information and the details of the Councils Meeting held on 23.12.2024. However, the 3rd respondent refused to disclose the information. The petitioner was thus constrained to file an application under the Right to Information Act, 2005, on 27.12.2024 raising 30 queries regarding Council Meetings and Resolutions on tender extension, budget and related matters. Since the 3rd respondent did not take any action on the petitioner's application, the petitioner preferred a First Appeal to the 2nd respondent on 15.02.2025, under Section 19[1] of the RTI Act, 2005. As the 2nd respondent did not initiate any action, the petitioner filed a complaint under Section 18[1] of the Act, to the 1st respondent on 17.02.2025. However, the said complaint did not yield any response. Hence, the petitioner filed a Second Appeal on 28.03.2025 under Section 19[3] of the RTI Act, 2005. Since the same also did not yield any response, the petitioner filed the above writ petition for the aforesaid relief.

- (4) The learned Standing counsel appearing for the 1st respondent submitted that the petitioner's Second Appeal dated 28.03.2025 preferred under Section 19[3] of the RTI Act, 2005, was numbered in proceedings GN-2025-D-



024277. The learned counsel therefore sought for time to dispose of the

Second Appeal dated 28.03.2025 preferred by the petitioner.

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(5) Under the facts and circumstances of the case and considering the submission of the learned Standing counsel for the 1st respondent, a direction is issued to the 1st respondent to dispose of the petitioner's Second Appeal dated 28.03.2025 on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

(6) The writ petition is disposed of accordingly. No costs.

06-08-2025

AP

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To

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The Tamil Nadu State Information

Commission, Blk No.19 Panipet,

Nandanam, Chennai-600035

2.The First Appellate Authority

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N.MALA J.

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