



W.P.No.37255 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2025

CORAM:

THE HONOURABLE MR. JUSTICE C.V. KARTHIKEYAN

W.P.No.37255 of 2024

T. Retna Pandian

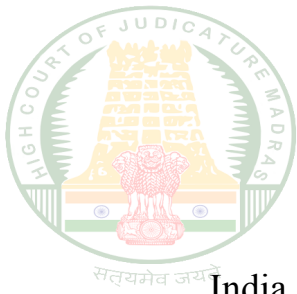
... Petitioner

Vs

1. The Tamil Nadu Information Commission
Rep.by its State Chief Information Commissioner
No.19, Government Farm Village,
Pernpet, Nandanam,
Chennai 600 035.
 2. The Appellate Authority
Directorate of Vigilance and Anti-Corruption Department,
No.293, M.K.N.Road, Alandur
Chennai 600 016.
 3. The Public Information Officer
Directorate of Vigilance and Anti-Corruption Department,
No.293, M.K.N.Road, Alandur
Chennai 600 016.
- Respondents

....

Prayer: Writ petition filed under Article 226 of the Constitution of



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India, praying to issue a writ of certiorarified mandamus to call for the concerned records from the 1st respondent and quash the order of the first respondent dated 08.07.2024 in the case No.SA/15841/SCIC/2021 on its file and decide the same on its merits and accordance with law after giving opportunity of personal hearing to the petitioner.

For Petitioner : Mr.Balan Haridas
Senior Counsel

For Respondents : Mr.C.Vigneswaran
Standing Counsel for R1

Mr.R.Vinothraja
Govt. Advocate for R2 & R3

ORDER

This writ petition has been filed for issuance of a writ of certiorarified mandamus to call for the concerned records from the 1st respondent and to quash the order of the first respondent dated 08.07.2024 in the case No.SA/15841/SCIC/2021 on its file and decide the same on its merits and accordance with law after giving opportunity of personal hearing to the petitioner.



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2. The grievance raised by the learned Senior Counsel for the petitioner is that the petitioner was not informed with notice of hearing dated 08.07.2024 and owing to his absence the aforementioned SA/15841/SCIC/2021 was dismissed. The matter relates to provision of information and therefore there cannot be a dismissal of the appeal proceedings but rather a finding should be given whether the information should be granted or should not be granted.

3. However, on behalf of the first respondent it is contended that the tapal containing notice of hearing was despatched on 20.06.2024 and delivered on 21.06.2024 and that it was the petitioner who was not present on 08.07.2024.

4. Let me not enter into a discussion on that dispute, but provide a further opportunity to the petitioner to appear before the first respondent. The petitioner may appear before the first respondent on 21.01.2025 and on that date if he appears then a direction is given to the first respondent



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to restore the case No.SA/15841/SCIC/2021. On 21.01.2025, the petitioner may appear and produce a copy of the order of this Court and thereafter, the first respondent shall fix a further date for hearing and dispose of the aforementioned Second Appeal in the manner known to law.

5. With the above observations and directions, the writ petition stands disposed of. No costs.

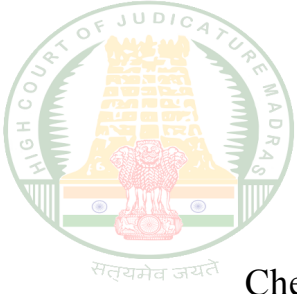
06.01.2025

dpq
Index: Yes/No
Speaking order / Non speaking order

To

1. The Tamil Nadu Information Commission
Rep.by its State Chief Information Commissioner
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3. The Public Information Officer
Directorate of Vigilance and Anti-Corruption Department,
No.293, M.K.N.Road, Alandur
Chennai 600 016.

C.V.KARTHIKEYAN, J.

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