



W.P.No.38027 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2025

CORAM :

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

W.P.No. 38027 of 2025

L.Bharathi

.. Petitioner

VS

1. The Registrar,  
The Tamil Nadu State Information Commission,  
O/o.The State Information Commission,  
No.19, Government Farm Village,  
Panepet, Nandanam, Chennai – 600 035.
2. The Principal Secretary,  
Tamil Nadu State Finance Department,  
Secretariat, Fort St.George,  
Chennai – 01.
3. First Appellate Authority/Regional Joint Director,  
Dept.of Treasuries and Accounts,  
Vellore Region,  
Vellore District – 01.
4. First Appellate Authority / Regional Joint Director,  
Dept.of Treasuries and Accounts,  
O/o.Old District Collector Office Complex,  
Tiruchirappali – 620 001.
5. The Public Information Officer,  
District Treasurer,  
Officer of the District Treasury,  
Salem District.
6. The Public Information Officer,



WEB COPY



W.P.No.38027 of 2025

District Treasurer,  
Officer of the District Treasury,  
Tiruchi District.

7. The Commissioner/Director,  
Department of Treasuries and Accounts  
3<sup>rd</sup> Floor, Veterinary Hospital Campus,  
Anna Salai, Nandanam, Chennai – 600 035.
8. The Public Information Officer /  
Assistant Superintendent of Stamps,  
General Stamp Office,  
2<sup>nd</sup> Floor, 571 Anna Salai,  
Nandanam, Chennai – 35.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1<sup>st</sup> respondent to dispose of the petitioner's second appeal dated 07.07.2025, U/s-19(3) of the Right to Information Act, 2005 within the stipulated time frame to be fixed by this Court.

For Petitioner : Mr.L.P.Maurya  
For Respondents : Mr.C.Vigneshwaran for R1  
Mr.Arasakumar  
Government Advocate for R2 to R8

### **ORDER**

The petitioner seeks for a direction to dispose of the appeal preferred on 07.07.2025 to the first respondent.

2. A reading of the papers would reflect that the petitioner seems to

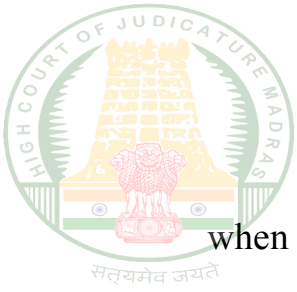


W.P.No.38027 of 2025

be aggrieved by the order passed by the Public Information Officer, Treasury Department / fifth respondent on 29.10.2024. The first appellate authority has rejected the appeal filed by the writ petitioner on 12.12.2024. The period of limitation as provided under Section 19(3) of the Right to Information Act, 2005 (RTI Act) to prefer an appeal against the order of the first appellate authority to the State Information Commission is 90 days from the date of receipt of the order. The appeal should have been filed by March, 2025. The petitioner has preferred an appeal only in July, 2025.

3. The argument of Mr.L.P.Maurya, is that he came to know that the information which had been furnished by the Treasury Office at Suramangalam, was a false and misleading one, only after he secured the order dated 25.04.2025. Hence, he pleads that the second appeal before the State Information Commission is in time. I am unable to agree with the said submission.

4. The provision under Section 19(3) of the RTI Act is very clear. An appeal should be filed against the decision of the first Appellate Authority within a period of 90 days when the decision is received or



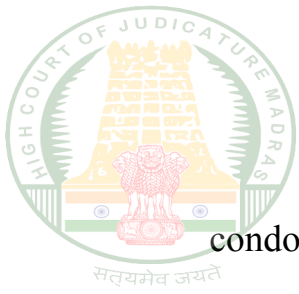
*W.P.No.38027 of 2025*

when it ought to have been made. It is not in dispute that the first appellate authority had rejected the appeal on 12.12.2024. For the fact that the petitioner had gotten a subsequent information, will not extend the time to enable the writ petitioner to approach the State Information Commission after the said period fixed under the statute.

5. Mr.C.Vigneshwar, points out that the appeal preferred by the petitioner had been returned as barred by time on 06.10.2025. The remedy for the petitioner is to file an application under Section 5 of the Limitation Act, 1963, explaining the reasons for the delay in challenging the order dated 12.12.2024 on 07.07.2025.

6. It is a settled position of law that where an appeal is barred by time, the authority cannot take the appeal on file, without first condoning the delay. Hence, the direction sought for by Mr.L.P.Maurya, cannot be granted.

7. This order will not stand in the way of the petitioner to file an application under Section 5 of Limitation Act, 1963, explaining the reasons for approaching the first respondent with delay and seek for



W.P.No.38027 of 2025

condonation and thereafter, approach this Court, in case, the State

Information Commission does not dispose of the appeal in time.

8. With the above observations, this Writ Petition stands dismissed.

There shall be no order as to costs.

**08.10.2025**

Index: Yes/No

Speaking order/Non-speaking order

Neutral Citation: Yes/No

ms

To

1. The Registrar,  
The Tamil Nadu State Information Commission,  
O/o.The State Information Commission,  
No.19, Government Farm Village,  
Panepet, Nandanam, Chennai – 600 035.
2. The Principal Secretary,  
Tamil Nadu State Finance Department,  
Secretariat, Fort St.George, Chennai – 01.
3. First Appellate Authority/Regional Joint Director,  
Dept.of Treasuries and Accounts,  
Vellore Region, Vellore District – 01.
4. First Appellate Authority / Regional Joint Director,  
Dept.of Treasuries and Accounts,  
O/o.Old District Collector Office Complex,



W.P.No.38027 of 2025

Tiruchirappali – 620 001.

WEB COPY

5. The Public Information Officer,  
District Treasurer,  
Officer of the District Treasury,  
Salem District.
6. The Public Information Officer,  
District Treasurer,  
Officer of the District Treasury,  
Tiruchi District.
7. The Commissioner/Director,  
Department of Treasuries and Accounts  
3<sup>rd</sup> Floor, Veterinary Hospital Campus,  
Anna Salai, Nandanam, Chennai – 600 035.
8. The Public Information Officer /  
Assistant Superintendent of Stamps,  
General Stamp Office,  
2<sup>nd</sup> Floor, 571 Anna Salai,  
Nandanam, Chennai – 35.



WEB COPY



*W.P.No.38027 of 2025*

**V. LAKSHMINARAYANAN, J.**

ms

**W.P.No.38027 of 2025**

08.10.2025