



W.P.(MD) No.264 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.01.2025

CORAM

THE HON'BLE MRS. JUSTICE N.MALA

W.P.(MD) No.264 of 2025

P.Saravanan

... Petitioner

Vs.

- 1.The Secretary,
Tamilnadu State Information Commission,
The 2nd Appellate Officer,
Block No.19, Government Farm Village,
Fanepet, Nandhanam,
Chennai - 600035.
- 2.The Additional Chief Engineer (PWD),
Principal Chief Engineer &
Chief Engineer (Public) Office,
Public Works Department,
Chepauk, Chennai - 600005.
- 3.The Superintendent Engineer,
Public Works Department,
Buildings & Maintenance Division,
Tirunelveli, Tirunelveli District.
- 4.The Executive Engineer,
Public Works Department,
Buildings & Maintenance Division,
Tenkasi, Tenkasi District.
- 5.The Assistant Executive Engineer,
Public Works Department,



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Buildings & Maintenance Division,
Tenkasi, Tenkasi District.

... Respondents

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Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of a Writ of Mandamus directing the first respondent to dispose of the second appeal filed by the petitioner under Rules 8 & 9 of the Right To Information Rules under the Right To Information Act and consequently furnish the information sought for by the petitioner as per application submitted within a time stipulated by this Court.

For Petitioner : Mr.R.Anandha Raj

For Respondents : Mr.A.Kannan
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking for the issuance of a Writ of Mandamus directing the first respondent to dispose of the second appeal filed by the petitioner under Rules 8 and 9 of the Right to Information Rules and to furnish the information sought by the petitioner in his application filed under the Right to Information Act within a time frame stipulated by this Court.

2. The petitioner submitted an application under Section 3 read with Section 6(1) of the Right to Information Act on 22.05.2024, requesting



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certain documents. In response to the petitioner's application, the fifth respondent sent a communication dated 21.06.2024, rejecting the petitioner's request on the grounds that the issue regarding the construction of a new collectorate at Tenkasi was pending before the Tribunal, and therefore, the information and documents sought for could not be furnished.

3. Aggrieved by the same, the petitioner preferred an appeal before the first appellate authority, i.e., the second respondent herein, on 20.07.2024 under Section 19(1) of the Right to Information Act. The appeal was forwarded to the Appellate Officer cum Superintendent Engineer, Tirunelveli, who, in turn, by letter dated 06.08.2024, forwarded it to the fourth respondent. The fourth respondent also rejected the petitioner's request and confirmed the views of the fifth respondent *vide* proceedings dated 20.08.2024.

4. Therefore, the petitioner preferred a second appeal before the first respondent on 12.09.2024, which is kept pending without any progress. The petitioner has, therefore, filed this Writ Petition for the aforesaid relief.



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WEB COPY 5. It is seen that the petitioner's request for furnishing certain information and documents under the Right to Information Act was rejected by the fifth respondent, and the subsequent appeal filed before the second respondent, which was forwarded to the fourth respondent, was also rejected. Consequently, the petitioner filed a second appeal before the first respondent, which has been pending for more than three months without any progress.

6. In view of the above, a direction is issued to the first respondent to dispose of the second appeal filed by the petitioner on merits and in accordance with the law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7. With the above observations, this Writ Petition is disposed of.
No costs.

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

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Copy To:

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N.MALA, J.

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