



W.P.(MD)No.12822 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.12822 of 2025

C.Kasirajan

... Petitioner

versus

The Registrar,
Tamil Nadu Information Commission,
19, Government Farm House,
Parnpettai, Nanthanam,
Chennai – 600 035.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, to call for the records of the respondent with regard to the rejection of petitioner's second appeal in case No.6149/SCIC/DEF/2024 dated 20.03.2025 and quash the same as illegal and arbitrary and in consequence thereof direct the respondent to furnish vital information sought for by the petitioner under the Right to Information Act, 2005, within a reasonable time.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondent : Mr.Raguvaran Gopalan



W.P.(MD)No.12822 of 2025

ORDER

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The petitioner challenges the order of the respondent rejecting the petitioner's second appeal under the provisions of the Right to Information Act.

2. The grievance of the petitioner is that the vital information that has been sought for being is concealed and officials are being shielded from exposure. The learned counsel for the petitioner would invite my attention to the detailed representation given by the petitioner on 09.01.2025 pursuant to the request made by the respondent on 26.12.2024. Without considering the same, the respondent has proceeded to reject the second appeal on the ground that the petitioner has not responded to the communication dated 26.12.2024 on or before 31.01.2025. It is seen that even as early as on 09.01.2025 a detailed representation has been sent by registered post to the respondent.

3. In the light of the above, the impugned order is set aside and the matter is remitted to the respondent for fresh consideration. The petitioner shall forward a copy of the said representation dated 09.01.2025 to the respondent and the respondent shall also give an opportunity by way of personal hearing to the petitioner before deciding the second appeal on merits, and in accordance with law. The respondent shall conclude the proceedings



W.P.(MD)No.12822 of 2025

within a period of three months from the date of receipt of a copy of this order.

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4. In the result, the writ petition is allowed. No costs.

29.04.2025

am

Index : Yes / No.

Internet : Yes / No.

NCC : Yes / No.

To

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Tamil Nadu Information Commission,
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P.B.BALAJI, J.

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