



CNR: KAHC010074122024

NC: 2026:KHC:54328
WP No. 5661 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE T.P.VIVEKANANDA

WRIT PETITION NO. 5661 OF 2024 (GM-RES)

BETWEEN:

1. SRI. S. VENKATARAMANA,
S/O. LATE R. SRINIVAS RAO,
AGED ABOUT 85 YEARS,
R/AT NO.28, S.H.G.,
RAILWAYMEN LAYOUT,
RACHENAHALLI,
THANISANDRA,
BENGALURU-560077.

...PETITIONER

(BY SRI. RUDRAPPA P., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
KARNATAKA INFORMATION COMMISSION,
M.S. BUILDING,
AMBEKDAR VEEDHI,
BANGALORE-560001.
2. THE INFORMATION COMMISSIONER
NO.2, GROUND FLOOR,

Digitally signed
by PAVITHRA B
Location: HIGH
COURT OF
KARNATAKA



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MAHITHI SOUDHA,
DEVARAJ ARASU ROAD,
NEAR VIDHANA SOUDHA,
BENGALURU-560001.

3. THE PUBLIC INFORMATION OFFICER
THE JOINT REGISTRAR OF
CO-OPERATIVE SOCIETIES,
1ST APPELLATE AUTHORITY,
SAHAKARA SOUDHA,
MARGOSA ROAD,
MALLESWARAM,
BENGALURU-560003.

4. THE PUBLIC INFORMATION OFFICER
THE DEPUTY REGISTRAR OF
CO-OPERATIVE SOCIETIES,
SAHAKARA SOUDHA,
MARGOSA ROAD,
MALLESWARAM,
BENGALURU-560003.

...RESPONDENTS

(BY SRI. SRINIVAS KUMAR, HCGP FOR R1, R3 AND R4;
SRI. RAJASHEKHAR K., ADVOCATE FOR R2)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF
THE CONSTITUTION OF INDIA PRAYING TO QUASHING THE
ORDER PASSED BY THE R3 IN APPEAL NO.
JRB/APPEAL/RTI/69/2019-20. DATED 22.11.19 AND ORDER
PASSED BY THE R2 RESPONDENT IN APPEAL



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NO.KA.MAAA.609APL 2022 DATED 6.6.22, THE SAME IS PRODUCED AT ANNEXURE-D AND E AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING-B GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE T.P.VIVEKANANDA

ORAL ORDER

The petitioner is before this Court challenging the order dated 22.11.2019 passed by the third respondent so also the order dated 06.06.2022 passed by the second respondent. The petitioner is also seeking for issue of writ of *mandamus* directing the first respondent to furnish the copies of the documents sought in the representation dated 07.08.2022 at Annexure-F.

2. The writ petition papers discloses that the petitioner had filed an application under the Right to Information Act, 2005 ('the 2005 Act' for short) as per Annexure-A, requesting for furnishing of the documents mentioned in Column No.3 of the said application.



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3. Essentially, the information sought is regarding action taken pursuant to the direction of His Excellency Governor of Karnataka so also the direction of the then Hon'ble Chief Minister. In Column No.3 of the said application, the details of the recommendations/communications are indicated.

4. The application filed by the petitioner was forwarded to the Public Information Officer, who is the fourth respondent herein.

5. The third respondent addressed a letter to the fourth respondent forwarding the application submitted the petitioner along with four documents enclosed thereto. However, while forwarding the RTI application, the documents enclosed with the application are not furnished and therefore, the fourth respondent has called upon the third respondent to furnish the documents enclosed with the application so as to enable the fourth respondent to take further action in the matter.



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6. Being aggrieved by the said communication, the petitioner has approached the First Appellate Authority. The First Appellate Authority, has, by order dated 22.11.2019, rejected the appeal holding that the information sought by the petitioner does not come within the administrative jurisdiction of the First Appellate Authority.

7. It is thereafter the petitioner has approached the second respondent under Section 19(3) of the 2005 Act complaining that the information sought are not furnished by the Public Information Officer so also the First Appellate Authority.

8. The second respondent by its order dated 06.06.2022 disposed of the appeal holding that the petitioner was a member of the society in question. He was expelled from the membership on 30.11.1995, which action was not called in question so far and therefore, the question of furnishing the information to the petitioner does not arise.



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9. This Court is of the opinion that the observation made by the second respondent cannot be accepted, in as much as merely because the petitioner was expelled from the membership of the society, his right to seek for information under the 2005 Act cannot be curtailed.

10. However, the fact remains that the documents which the petitioner has sought for in Annexure - A are the recommendatory letters of His Excellency Governor of Karnataka and the then Hon'ble Chief Minister.

11. Unless the copies of the said documents are furnished to the respective Public Information Officers, it would not be possible for them to trace out the files relating to the information sought for.

12. Therefore, at this juncture, learned counsel for the petitioner submits that the petitioner would furnish the copies of the documents referred to in Column No.3 of Annexure-A to the Public Information Officer to enable the Authorities concerned to verify as to the action taken on the said recommendations.



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13. The petitioner to submit the copies of the documents referred in Annexure-A to the third and fourth respondent within a period of three (3) weeks from the date of receipt of a certified copy of this order.

14. Upon furnishing the said documents, the respondents to respond to the application at Annexure-A within a time-bound manner, not later than 30 days thereafter.

With these observations, the writ petition is disposed of.

**Sd/-
(T.P.VIVEKANANDA)
JUDGE**

SJK
List No.: 1 Sl No.: 33