

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.20664 of 2015

And

M.P.No.1 of 2015

A.Dayanithi

... Petitioner

Vs.

- 1 The Director of Handlooms
and Textiles Kuralagam Opp to High Court
Chennai 104
 - 2 The Assistant Director
Office of The Department of Handlooms and
Textiles No.29/8 Salakarai Road
Sellamkuppam Cuddalore OT 607 003
 - 3 The Commissioner
Kanai Panchayat Union Kanai Villupuram
District
- ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to dispose of the representation of the petitioner dated 09.06.2015 within the time schedule to be fixed by this Honourable Court.

For Petitioner : Mr.S.Udayakumar

For Respondents : Mr.RAS.Senthilvel for R1 and R2

Additional Government Pleader

Mr.P.Sanjai Gandhi for R3

Additional Government Pleader

ORDER

By consent, the writ petition is taken up for final disposal.

2.The petitioner would state that the first respondent had issued a circular with regard to the Hon'ble Chief Minister's Pasumai Veedugal Thittam (Green House Scheme) through solar energy and provides guideline regarding the identification of the beneficiaries within certain parameters and after identification, the eligible beneficiaries are to get Rs.2,65,000/- out of which a sum of Rs.30,000/- is earmarked for installing solar panel in the roof top.

The petitioner by means of representation dated 26.02.2015, sought certain information through the Right to Information Act from the second respondent. He has also sought certain information through the Right to Information Act from the first respondent by way of representation dated 27.04.2015. The Public Information Officer of the second respondent in its reply dated 18.05.2015 has stated that the Co-operative Societies will not come under the purview of the Right to Information Act, 2005 and denied the valuable information sought. The petitioner also filed an appeal before the Appellate Authority and it was rejected on 15.06.2015 stating that the information sought for by the petitioner were already denied by the Public Information Officer.

3.The grievance expressed by the petitioner is that though he is entitled to the information under the Right to Information Act, his representation pertains to the ineligible persons being conferred with certified bonafides, therefore in all fairness his representation may be disposed of on merits and prays for appropriate orders.

4.Heard the submissions of Mr.S.Udayakumar, learned counsel appearing for the petitioner, Mr.RAS.Senthilvel, learned Additional Government Pleader who accepts notice on behalf of the respondents 1 and 2 and Mr.P.Sanjai Gandhi, learned Additional Government Pleader who accepts notice on behalf of the third respondent.

5.This Court in the light of the above facts and circumstances and without going into the merits of the same and also taking into consideration the contention of the representation, directs the first respondent to consider and dispose of the petitioner's representation dated 09.06.2015 in accordance with law, with regard to the allegation that some ineligible persons have been conferred with such bonafides for the said scheme and pass orders within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

6.The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

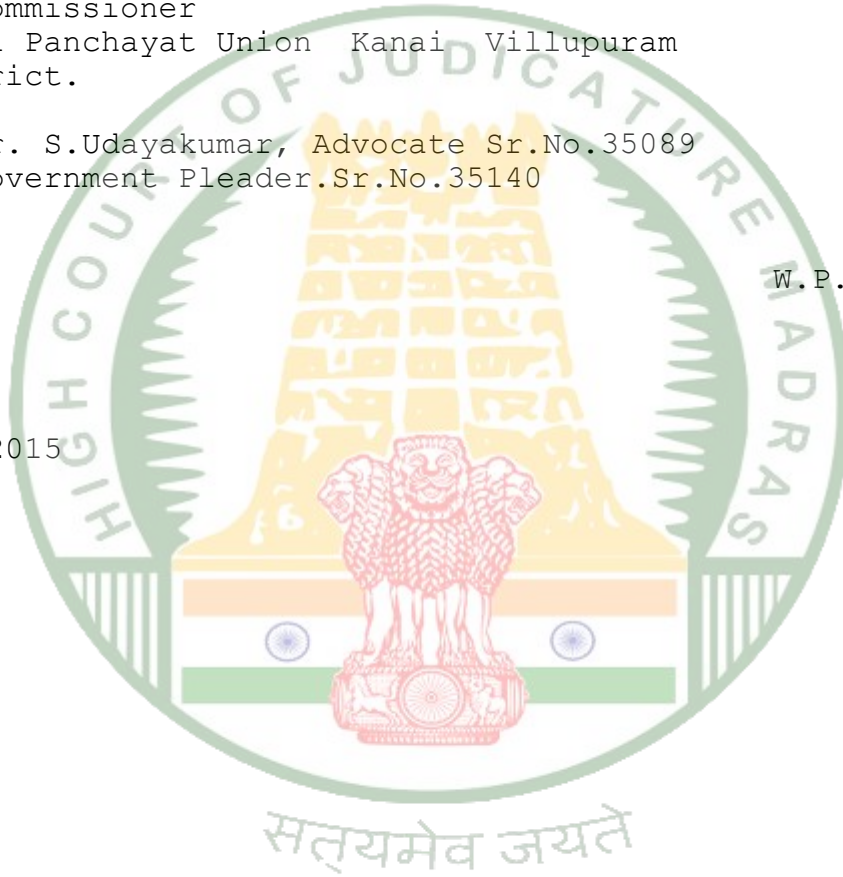
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To

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and Textiles Kuralagam Opp to High Court
Chennai 104
 - 2 The Assistant Director
Office of The Department of Handlooms and
Textiles No.29/8 Salakarai Road
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 - 3 The Commissioner
Kanai Panchayat Union Kanai Villupuram
District.
- 1 cc to Mr. S.Udayakumar, Advocate Sr.No.35089
1 cc to Government Pleader.Sr.No.35140

W.P.No.20664 of 2015
And
M.P.No.1 of 2015

sr(co)
pmk.27.7.2015



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