

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P.No.15148 of 2015
and
M.P.No.1 of 2015

M.Paramasivam

...Petitioner

Vs.

1. The State Information Commissioner,
Tamil Nadu Information Commission,
No.2, Thiyagarayar Road (Near Alaiyamman Temple),
Eldams Road Junction,
Teynampet, Chennai - 600 018.
2. The Public Information Officer,
Appellate Authority,
O/o.Chief Secretary,
St.Fort George,
Chennai - 600 009.
3. The Under Secretary to Government cum
Public Information Officer,
General (Ma.Vaa.3) Department,
Secretariat, Chennai - 600 009.
4. The Under Secretary to Government cum
Public Information Officer,
Department of Labour and Employment,
Chennai - 600 009,
5. The Appellate Authority,
The Director,
Department of Employment and Training,
Guindy, Chennai - 600 032,
6. The Public Information Officer,
Department of Employment and Training,
Guindy, Chennai - 600 032.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus to direct the 1st respondent to order the 6th respondent to provide the information sought by the petitioner through his application dated 2.7.2013 under the Right to Information Act, 2005 based upon the petitioner's reminder letter dated 31.12.2013.

For Petitioner : Mr.S.Kumara Devan

For Respondents : Mr.S.Diwakar,AGP for RR.2 to 6
No appearance for R.1

ORDER

A perusal of the order impugned would show that the requisition made by the petitioner was rejected by the 6th respondent on 6.1.2014 on the ground that it is not permissible under Section 7(9) of the Right to Information Act, as it constitutes a voluminous information and it has been further held that the petitioner can be permitted to peruse the said documents. After receipt of the same, the petitioner has come forward to this Court by filing writ petition stating that the direction issued by the 1st respondent will have to be complied with.

2. A perusal of the communication dated 8.11.2013 of the 1st respondent does not indicate that any positive direction has been given to furnish the information sought for by the petitioner. If the petitioner has got any grievance against the order of the 6th respondent dated 6.1.2014, he can certainly file an appeal instead of coming before this Court seeking direction to the 1st respondent.

3. With the above said observation, the writ petition is dismissed. However, it is made clear that the order passed will not stand in the way of the petitioner filing of the appeal before the appellate authority. As the petitioner has been agitating his case before this Court, a further period of four weeks time is granted to the petitioner to file appeal. If the appeal is filed by the petitioner within the time granted by this Court, the same shall be decided on its own merits without rejecting the same on the ground of limitation. No costs. Consequently, the connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar(LA)

//True Copy//

Sub Assistant Registrar

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To

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1 CC to Mr.S.Kumara Devan, Advocate SR.No. 49500

1 CC to the Government Pleader, SR.No. 49604

W.P.No.15148 of 2014

GR (CO)

PSI (05.10.2015)