

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.11.2015

CORAM

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

W.P. No. 37680 of 2015

Adhimoolam

..Petitioner

Vs.

1. The Public Information Officer,
Block Development Officer,
Block Development Office,
Morappur, Harur Taluk,
Dharmapuri District.
2. The Panchayat Secretary,
Oshahalli Panchayat,
Morappur Panchayat Union,
Harur Taluk,
Dharmapuri District.
3. The Panchayat President,
Oshahalli Panchayat,
Morappur Panchayat Union,
Harur Taluk,
Dharmapuri District.

..Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Mandamus directing the respondents to furnish the information sought by the petitioner through his lawyer vide letter dated 28.02.2015 since the petitioner has paid a sum of Rs.3,200/- as directed by the respondents within the time frame to be fixed by this Court.

For Petitioner :: Mr.C.Munusamy

For Respondents :: Mr.S.V. Duraisolaimalai
for R1 to R3

O R D E R

By consent, the main writ petition is taken up for disposal at the admission stage itself.

2. The petitioner had sought certain information from the 1st respondent under the RTI Act. By proceedings dated 14.02.2015, the petitioner was asked to pay a sum of Rs.3,200/-, being the charge for furnishing the copies sought. The petitioner paid the said sum through Demand Draft dated 28.02.2015 to the 2nd respondent. However, it was returned stating that the Demand Draft should have been drawn in the name of the Panchayat President and not in the name of the Secretary. Since the Demand Draft has been returned and the information sought has also not been furnished, the petitioner has come forward with the present writ petition.

3. The writ petition is a totally misconceived one. It is not as if the petitioner's request has been rejected. On the contrary, the petitioner has been asked to furnish a Demand Draft in the name of the Panchayat President, who is the authority empowered to maintain the bank account of the Panchayat.

4. Hence, the writ petition is disposed of giving liberty to the petitioner to furnish a fresh Demand Draft, for the required amount, in the name of President of Oshahalli Panchayat, within a period of two weeks from the date of receipt of a copy of this order. As and when the same is furnished by the petitioner, the information sought by the petitioner, as mentioned in the proceedings dated 14.02.2015, will have to be furnished by the 3rd respondent, within a period of two weeks thereafter. No costs.

nv

Sd/-

Asst.Registrar

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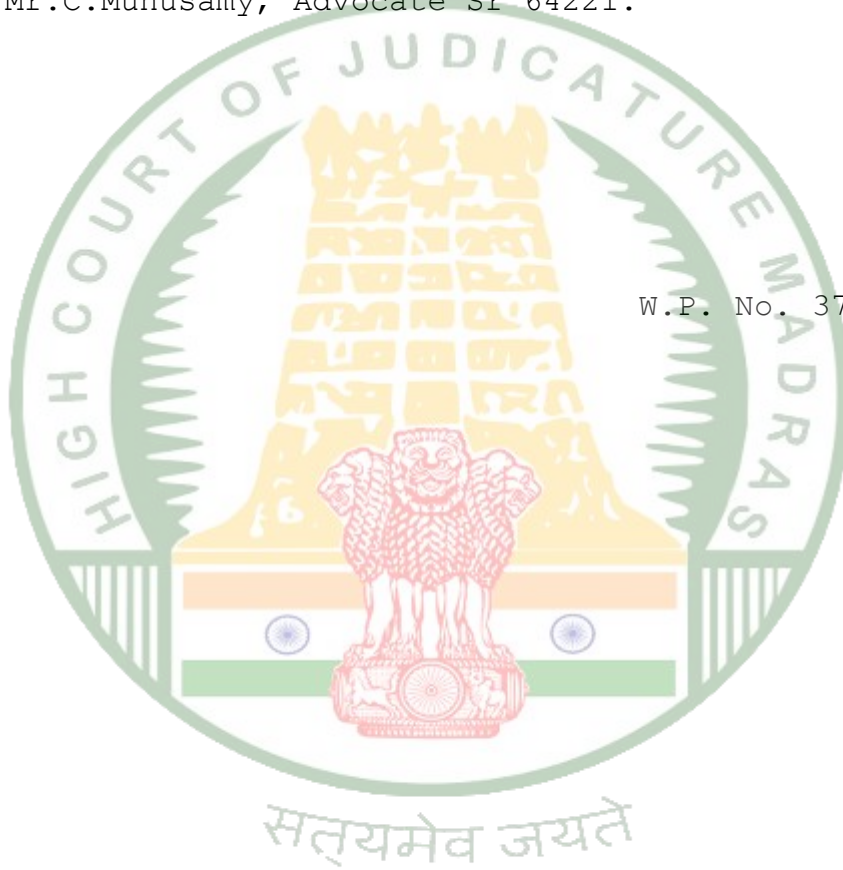
Sub Asst. Registrar

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Block Development Office,
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Dharmapuri District.

2. The Panchayat Secretary,
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Morappur Panchayat Union,
Harur Taluk,
Dharmapuri District.
 3. The Panchayat President,
Oshahalli Panchayat,
Morappur Panchayat Union,
Harur Taluk,
Dharmapuri District.
- + 1 cc to Mr.C.Munusamy, Advocate Sr 64221.

CA/CO
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