



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **30.09.2015**

WEB COPY

CORAM

THE HONOURABLE **MR. JUSTICE R. SUBBIAH**

**W.P (MD) .No.17631 of 2015**

Subramanian

...Petitioner

Vs.

1.The Tamilnadu State Information Commission,  
No.2, Thyiagarajasalai,  
Tenampet,  
Chennai.

2.The Manager,  
Thanjavur Central Cooperative Bankd,  
Orathanadu Branch,  
Pattukottai,  
Thanjavur District. ...Respondents

Prayer: This Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents herein to furnish the details on the basis of the petitioner's appeal, dated 18.02.2014 submitted to the respondents herein under the Right to Information Act, within the time stipulated by this Court.

|                |                              |
|----------------|------------------------------|
| For petitioner | : Mr.B.Jameel Arasu          |
| For R-1        | : Mr.K.K.Senthil             |
| For R-2        | : Mr.Shanmugaraja Sethupathy |

**ORDER**

The Writ Petition has been filed praying for a Writ of Mandamus directing the respondents herein to furnish the details on the basis of the petitioner's appeal, dated 18.02.2014 submitted to the respondents herein under the Right to Information Act, within the time stipulated by this Court.

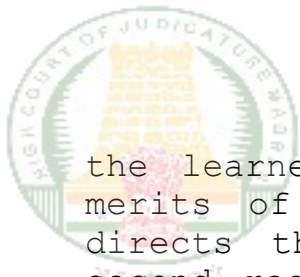
2. Mr.K.K.Senthil, learned counsel takes notice for R-1 and Mr.Shanmugaraja Sethupathy, learned counsel takes notice for R-2.

<https://hcservices.courts.gov.in/hcservices/>  
3. By consent, the Writ Petition itself is taken up for final disposal.



4. In the affidavit it has been averred that the petitioner was working as a Teacher in the Government School at Killikottai. Prior to that he was working at Vettukottai Government Middle School. At that time, the petitioner had applied for a personal loan from Tiruvonnam Village Panchayat Union Staff cum Teachers Cooperative Credit and Thrift Society for a sum of Rs.1,60,000/- and a sum of Rs.25,000/- was sanctioned as first installments by way of a cheque. Thereafter, another cheque was issued for a sum of Rs.35,000/- as a second installment. Thereafter, when the petitioner approached the Secretary of the Society for payment of the remaining sanctioned loan amount, the said Secretary did not give any proper reply and thereafter, the petitioner repaid a sum of Rs.19,000/- out of the total amount of Rs.60,000/- (25000 + 35000). Thereafter, the petitioner was transferred to some other school. Subsequently, the President of the Thrift Society has issued a notice to the petitioner on 16.09.2013 stating that the petitioner has to pay a huge sum of Rs.1,22,978/- with interest totalling a sum of Rs.1,91,725/-. On receipt of the same, the petitioner approached the Secretary of the said Society and asked for the details about sanctioning of the loan amount and the payment made by the petitioner. Thereafter, the petitioner had sent a notice on 18.01.2014 stating that some of the employees of the society have misappropriated the amount of the society by using the documents of the petitioner. But the same was not considered so far. Under such circumstances, the petitioner had applied for certain information under the Right to Information Act with regard to the details of the loan sanctioned in favour of the petitioner and the cheques issued in favour of him. For which, a reply was sent to the petitioner stating that on three occasions, loan amount was disbursed to the petitioner. As per the reply given by the Society, a sum of Rs.1,25,150/- was alleged to have been received by the petitioner through three cheques. But, as stated above, only two cheques were given to the petitioner for Rs.25,000/- and RS.35,000/- totalling a sum of Rs.60,000/-. Therefore, the petitioner has sought for information from the second respondent bank. But the same was not considered so far. Hence, the petitioner filed an appeal before the Appellate Authority, the Tamil Nadu State Information Commission on 18.02.2014 and thereafter, on 16.04.2014 he had sent a reminder to the Appellate Authority. Even thereafter, the same was not considered so far. Hence, the petitioner has come forward with the present Writ Petition for the above stated relief.

5. Though the Writ Petition has been filed by impleading the first respondent to furnish the details asked for by the petitioner, this Court is of the opinion that such a direction could not be issued. However, considering the submission made by



the learned counsel for the petitioner, without going into the merits of the averment made in the Writ Petition, this Court directs the petitioner to give a fresh representation to the second respondent within a period of one week from the date of receipt of a copy of this order and on receipt of the same, the second respondent is directed to consider the same and pass appropriate orders on merits and in accordance with law within a period of four weeks thereafter.

With the above direction, the Writ Petition is disposed of.  
No Costs.

Sd/-  
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1.The Tamilnadu State Information Commission,  
No.2, Thyiagarajasalai,  
Tenampet, Chennai.

2.The Manager,  
Thanjavur Central Cooperative Bank,  
Orathanadu Branch,  
Pattukottai, Thanjavur District.

+1cc to Mr.K.K.Senthil,Advocate Sr.No.57859

+1cc to Mr.B.JAMEEL ARASU, Advocate Sr.No. 57707

+1cc to Mr.D.SHANMUGARAJA SETHUPATHI, Advocate Sr.No.57445  
pm

AA/JGB/13.10.2015/3p-6c

W.P (MD) .No.17631 of 2015  
30.09.2015