

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.28805 of 2016

And

W.M.P.No.24859 of 2016

M/s.Vijay Traders, Represented by
its Partner, Mr.D.Mahalingam ... Petitioner

Vs.

- 1 The State of Tamil Nadu
Rep by its Secretary to Government
Information & Technology,
Fort St. George,
Chennai - 600 009.
- 2 The Deputy General Manager
& Public Information Officer
M/s.Indian Oil Corporation Ltd.,
No.139, Mahatma Gandhi Road,
Nungambakkam High Road,
Chennai - 600 034.
- 3 The Chief Divisional Retail Sales Manager,
The Indian Oil Corporation Ltd.,
Salem Divisional Office,
No.234, First Floor,
Kondalampatty Bypass,
Salem- District
- 4 The Diocesan Property Officer,
CSI Diocesan Council
No.256, Race Course,
Coimbatore - 641 018.
- 5 The Assistant property Manager,
Coimbatore Diocese,
Missionary Bungalow,
Varanda Room,
CSI Schools Compound,
Attur, Salem District.

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to forbear the 2nd and 3rd respondent from furnishing any information to the sixth respondent under the Right to information act with respect to the business of the petitioner in S.F. No.471/4 Patta No.7490, Ward-D, Block No.28, T.S.No.23, Door No.737/ 165-C, Kamarajanar Main Road, Attur Municipality, Attur Taluk, Salem District in Ground Floor.

For Petitioner : Mr.M.Md.Ibrahim Ali
For Respondents : Mr.R.Govindasamy for R1
Special Government Pleader
Mr.R.Ravi for R2 and R3

O R D E R

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

2.Mr.M.Mohammed Ibrahim Ali, learned counsel appearing for the petitioner would submit that the sixth respondent by abusing the process of law, more particularly, the Right to Information Act, 2005 (Central Act 22 of 2005) sought certain information as to the business being run by the petitioner and therefore, he is constrained to approach this Court by way of filing this writ petition.

3.This Court also heard the submissions of Mr.R.Govindasamy, learned Special Government Pleader who accepts notice on behalf of the first respondent and Mr.R.Ravi, learned counsel who accepts notice on behalf of the respondents 2 and 3.

4.In the considered opinion of this Court, the prayer sought for by the petitioner cannot be granted in the light of Section 8 of the Right to Information Act, 2005. Be that as it may, the petitioner is always at liberty to work out his remedy, administratively, before the concerned Authority.

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

s/d-
Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

pri

To

1 The Secretary to Government
The State of Tamil Nadu
Information & Technology,
Fort St. George,
Chennai - 600 009.

2 The Deputy General Manager
& Public Information Officer
M/s.Indian Oil Corporation Ltd.,
No.139, Mahatma Gandhi Road,
Nungambakkam High Road,
Chennai - 600 034.

3 The Chief Divisional Retail Sales Manager,
The Indian Oil Corporation Ltd.,
Salem Divisional Office,
No.234, First Floor,
Kondalampatty Byepass,
Salem- District

+1 CC to Mr. R. Ravi, vide Sr.No.47111

+1 CC to Mr. M. Md. Ibrahim Ali, Advocate, SR.NO.47068

W.P.No.28805 of 2016 and
W.M.P.No.24859 of 2016

SRV (CO)
MD : 06.09.2016

सत्यमेव जयते

WEB COPY