

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2016

CORAM

THE HONOURABLE Mr. JUSTICE T.S.SIVAGNANAM

W.P.No.33502 of 2016

T.Duraikannan

.. Petitioner

..Vs..

1. Block Development Officer,
Panchayat Union Office,
Thiruvennai Nallur,
Villupuram District.
2. The Assistant Director,
Village Panchayat & Municipalities,
District Collector Office,
Villupuram.
3. The State Information Commissioner,
No.2, Sir Thiyagarayar Salai,
Near Aalai Amman Temple,
Teynampet, Chennai-600 008. .. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus or Direction in the nature of Writ directing the third respondent to arrange for supply of required information sought by the petitioner under RTI Act on dt.16/03/2011 and as directed by him vide in his order in 25171/Enquiry/B/2011, dated 16.11.2011 and also further direct to initiate penal action against 1st respondent by levying the maximum penalty of Rs.25,000/- under Section 20 of Right to Information Act.

For Petitioner : Mr.R.Balaji
For RR 1 to 3 : Mr.A.N.Thambi Durai
Spl.Government Pleader

ORDER

Heard Mr.R.Balaji, learned counsel for the petitioner and Mr.A.N.Thambi Durai, learned Special Government Pleader accepting notice on behalf of the respondents and with the consent on either side, the writ petition is taken up for final disposal.

2 The petitioner seeks for a direction upon the 3rd respondent to furnish the required information to the petitioner under the Right to Information Act, 2005 and also to initiate penal action against the 1st respondent.

3 Admittedly, the petitioner has already approached the State Information Commission and lodged a complaint for non-compliance of the directions. In the interregnum, the petitioner has approached this Court for the aforesaid relief. In the considered view of this Court, the relief sought for cannot be granted at this juncture, since the petitioner has already invoked the remedies available to him under the Right to Information Act,, 2005. If there is any violation of the orders passed, it is always open to the petitioner to pursue the matter before the State Information Commission.

4 With the above observation, the writ petition stands dismissed. No costs.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

AP

To

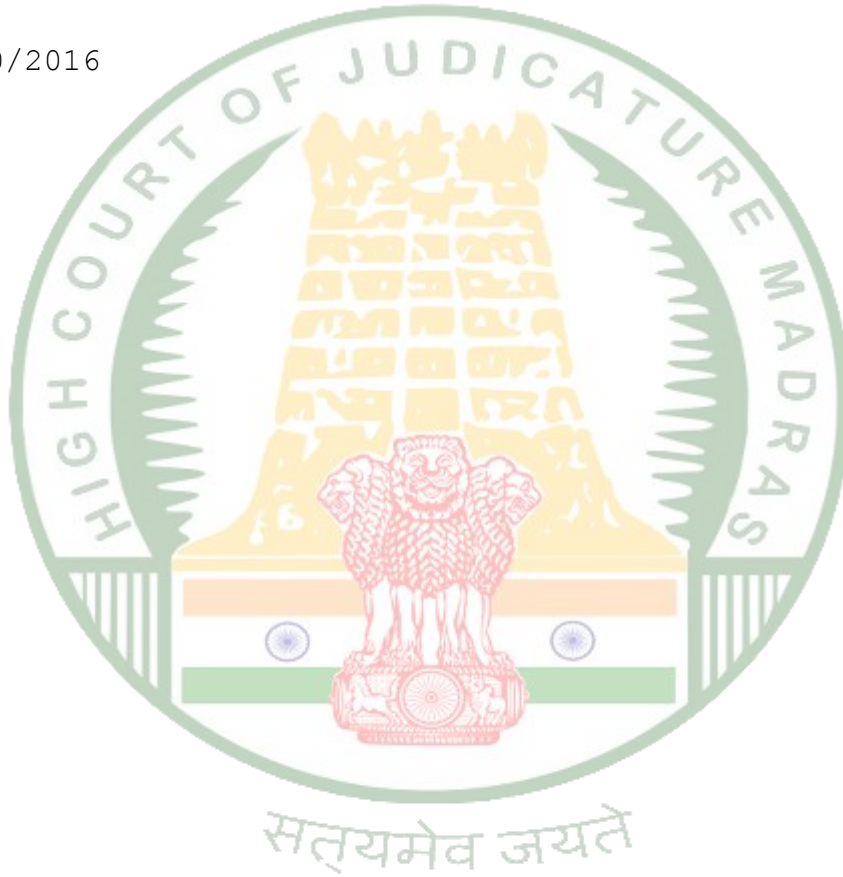
1. Block Development Officer,
Panchayat Union Office,
Thiruvennai Nallur, Villupuram District.
2. The Assistant Director,
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District Collector Office, Villupuram.

3. The State Information Commissioner,
No.2, Sir Thiyagarayar Salai,
Near Aalai Amman Temple,
Teynampet, Chennai-600 008.

+1 CC to Mr. S. Aunachalam Associates, Advocate Sr.No.54790

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LRS (CO)
MD : 17/10/2016



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