



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.12.2016

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P(MD)No.2041 of 2015

A.Pannerselvam

... Petitioner

Vs.

1.The Tamil Nadu Information Communication,
No.2, Thiyagaraja Salai,
Teynapet, Chennai - 600 001.

2.The Public Information Officer,
Arul Mighu Kalyana Pasupatheswara Swamy Thirukoil,
Karur District. ... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the proceedings of the first respondent made in case No.34236/MA.tha.tha.thaaa/2014, dated 5.1.2015 and quash the same and consequently direct the second respondent to furnish the informations sought by the petitioner in RTI petition dated 9.7.2014.

For Petitioner	: Mr.M.Sureshkumar
For Respondent	: Mr.K.K.Senthil for R1 Mr.Athimoolapandian for R2

O R D E R

This writ petition is filed challenging the order of the first respondent, dated 05.01.2015, and consequently, to direct the second respondent to furnish the information sought for by the petitioner under the RTI Act through petition, dated 09.07.2014.

2.Heard the learned counsel appearing for the petitioner and the learned counsels appearing for the respondents.

3.The petitioner through his application, dated 09.07.2014, sought for three informations from the second respondent temple with regard to the number of cases filed by the temple between 2002 and 2012 before the District Court, Sub-Court and District Munsif Court in respect of lands covered under Abolition of Inam Act and granted patta as well as their numbers and the expenses so far made by the temple towards such cases.



4.The second respondent temple issued a reply on 31.07.2014 calling upon the petitioner to furnish the relevant provision, under which the patta was granted, so as to give the details sought for by the petitioner. Challenging the said communication, the petitioner filed an appeal before the first respondent, who in turn dismissed the appeal by confirming the communication passed by the second respondent.

5.I find that the only grievance of the petitioner is that the second respondent temple has not furnished the details of cases filed by them with their numbers before the courts concerned in respect of the lands covered under the Inam Abolition Act. I do not think that the temple is justified in seeking the provision of law under which the patta was granted, which, in my considered view, is not necessary for furnishing the simple information sought for by the petitioner as stated supra. Needless to say that if suits are filed before the concerned court, such details namely, the case number and the court in which the same is pending can be furnished to the petitioner. However, insofar as the third question, namely, the expenses made by the temple in respect of those cases are concerned, I do not think that the temple will be in a position, at this stage, to furnish such information, if those cases are still pending.

6.Therefore, this writ petition is partly allowed and the orders passed by the respondents are set aside and consequently, the second respondent temple is directed to furnish the information sought for by the petitioner in respect of question Nos.1 and 2, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (Crl.Side)

/True Copy/

Sub Assistant Registrar

Skn

To

1.The Tamil Nadu Information Communication,
No.2, Thiyagaraja Salai, Teynapet, Chennai - 600 001.

2.The Public Information Officer,
Arul Mighu Kalyana Pasupatheswara Swamy Thirukoil,
Karur District.

+1CC to Mr.M.Suresh kumar, Advocate Sr.No.799

GJM/KM/10.1.17-2p-4C