

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 19729 of 2016

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Md Taurez Alam, S/o Maujamil Mian, Resident of village and Post Office at -
Parsa Tola, Dumariya, P.S. Majhauria, District - West Champaran - 845456

.... Petitioner/s

Versus

1. The State of Bihar, through Chief Secretary, Govt. of Bihar, Patna
2. Principal Secretary, Department of Education, Govt. of Bihar, Patna
3. Director, Minority Institution, Department of Education, Govt. of Bihar
4. The District Magistrate, West Champaran at Bettiah
5. The District Education Officer, West Champaran, Bettiah
6. The Block Education officer, Majhauria, West Champaran
7. The Headmaster, Madarsa, Akbarul Aulam, village & P.O. Parsa Tola Dumariya, P.S. Majhauria, West Champaran
8. Madarsa, Akbarul Aulam, Village & P.O. Parsa Tola Dumariya, P.S. Majhauria, West Champaran through its President
9. The Secretary, Madarsa Akbarul Aulam, Village and Post - Parsa Tola - Dumariya, P.S. Majhauria, West Champaran
10. The Bihar State Madarsa Education Board, 5th Vidyapati Marg, Patna - 800001
11. The Bihar State Minorities Commission, Bihar, Patna through its Chairman

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr Anshuman Singh, Advocate
For the State : Mr Amarendra Kumar, AC to AAG 15
For the Madrasa Board : Mr Md Rashid Alam, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
And
HONOURABLE MR JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 09-05-2017

In paragraph 3 of the writ petition, the only assertion made by the petitioner is that in village – Parsa Tola Dumariya, a Government aided and supported Madrasa is established and there are various illegalities in the said Madrasa which includes six Teachers working therein, who are not qualified and have been appointed on



the basis of forged certificate. Particulars and details of the Teachers and other requirements for holding an enquiry are not available. According to the petitioner, he sought the information under the Right to Information Act but the same was not supplied.

2 If the information sought by the petitioner was not supplied under the RTI Act, the petitioner has remedy under the RTI Act for seeking the information by approaching the higher authority. Based on the vague assertion, it is not proper to issue any mandamus instead petitioner may obtain the information under the RTI Act or file properly constituted Public Interest Litigation giving all the details.

3 In the meanwhile, petitioner may file a detailed representation with all the particulars before respondents No 2, 3 and 10 and respondents No 2, 3 and 10 shall look into the representation of the petitioner and take action on the same in accordance with law.

4 The writ petition is, accordingly, disposed of.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.05.2017
Transmission Date	NA

