



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 18.01.2017

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THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P(MD)No.9362 of 2015

and

M.P(MD)No.1 of 2015

P.Selva Dhas

..Petitioner

Vs

1.The Airport Director and Public Information Officer,
Airport Authority of India,
Trivendrum International Airport,
Trivendrum - 695 008.

2.The Public Information Officer/
The Officer-in-charge/PRO,
Immigrations Department,
Trivendrum International Airport,
Thiruvananthapuram - 695 008.

3.The Joint Deputy Director & CPIO,
Intelligent Bureau,
(Ministry of Home Affairs),
Government of India,
New Delhi.

4.The Deputy Director & Appellate Authority,
Intelligent Bureau,
Level-5, East Block-8,
K.K.Puram, New Delhi - 110 066.

..Respondents.

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order passed by the fourth respondent dated 7.4.2014. vide No.8/imm/2014 (3)-11 on the Right to Information Appeal, dated 17.3.2014 and to quash the same and thereby to direct the third respondent to furnish information to the Petitioner as per the Petitioner's representation, dated 11.2.2014.

For Petitioner :M/s.M.R.Sreenivasan

<https://hcservices.ecourts.gov.in/hcservices> For Respondents :Mr.J.Jeyakumaran
Standing Counsel



ORDER

The Petitioner seeks for issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order passed by the fourth respondent dated 7.4.2014. vide No.8/imm/2014(3)-11 on the Right to Information Appeal, dated 17.3.2014 and to quash the same and thereby to direct the third respondent to furnish information to the Petitioner as per the Petitioner's representation, dated 11.2.2014.

2.Heard the learned counsels appearing on either side and perused the materials placed before this Court.

3.The order under challenge passed by the fourth respondent, dated 17.3.2014 under the Right to information Act is an appealable order before the competent appellate authority constituted under the Right to Information Act.

4.Without exhausting such remedy, the Petitioner has approached this Court and filed the present Writ Petition. Though the Petitioner has raised some grounds both on legal and factual aspects of the matter, this Court, at this stage, is not inclined to go into such issues, since the Petitioner is having a statutory appellate remedy before such authority, who in-turn shall consider all these aspects, while hearing the appeal.

5.Therefore, this Writ Petition is disposed of, without expressing any view on the merits of the claim made by the Petitioner, only with a liberty to the Petitioner to file a Second Appeal before the competent authority within a period of four weeks from the date of receipt of a copy of this order. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

1.The Joint Deputy Director & CPIO,
Intelligent Bureau,
(Ministry of Home Affairs),
Government of India,
New Delhi.



2.The Deputy Director & Appellate Authority,
Intelligent Bureau,
Level-5, East Block-8,
K.K.Puram, New Delhi - 110 066.

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+1cc to Mr.M.R.Sreenivasan, Advocate SR.NO.3145
+1cc to Mr.J.Jeyakumaran, Advocate sR.No.2840

vsn

sm:RR-BS:02/02/2017:3P/5C

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and
M.P (MD) No.1 of 2015
18.01.2017