

***HONOURABLE SRI JUSTICE CHALLA KODANDA RAM**

+WRIT PETITION No.11184 of 2017

% 30/03/2017

RAPOLU BHAVANA RISHI

..PETITIONER

Vs.

\$ STATE OF TELANGANA REP. BY PRINCIPAL
SECRETARY, MUNICIPAL ADMINISTRATION DEPARTMENT,
SECRETARIAT BUILDINGS, HYDERABAD & OTHERS.

.. RESPONDENT

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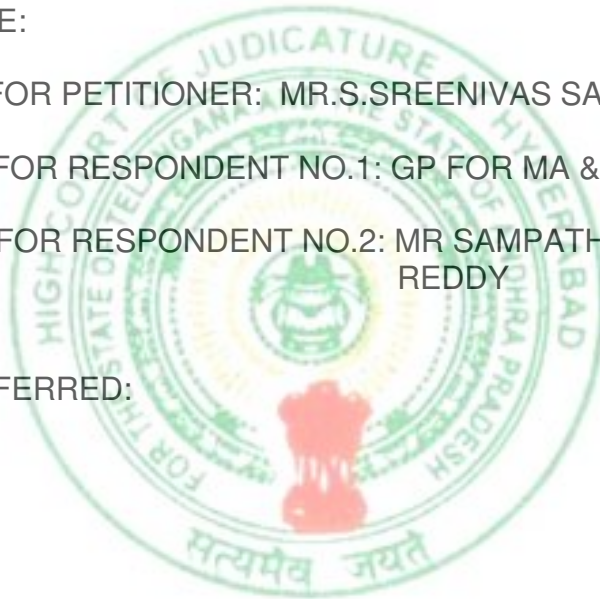
>HEAD NOTE:

!COUNSEL FOR PETITIONER: MR.S.SREENIVAS SARMA

^COUNSEL FOR RESPONDENT NO.1: GP FOR MA & UD

>COUNSEL FOR RESPONDENT NO.2: MR SAMPATH PRABHAKAR
REDDY

?CASES REFERRED:



HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.11184 of 2017

ORDER:

Petitioner submits that he has entered into an agreement of sale for purchase of property which is being developed by respondent Nos.3 to 5. However, respondent Nos.3 to 5 abruptly stopped construction. The petitioner, therefore, made representation dated 02.12.2016 to respondent No.2 – GHMC seeking certain information and documents in relation to permission granted in favour of respondent Nos.3 to 5. Despite which, respondent No.2 has not furnished required documents. In such circumstances, the present Writ Petition is filed.

Sri Sampath Prabhakar Reddy, learned Standing Counsel for respondent No.2 – GHMC, opposes the Writ Petition and, submits that, respondent No.2 is not a party to any of the agreements alleged to have been executed between the petitioner and respondent Nos.3 to 5; and, if any documents are required in relation to permission granted to respondent Nos.3 to 5, petitioner is at liberty to approach respondent No.2 – GHMC under the Right to Information Act, 2005.

It may be noted that respondent Nos.3 to 5 are private parties, and no writ would lie against them. In fairness, the petitioner had made respondent Nos.3 to 5 as parties only to emphasise that the petitioner has entered into agreement

with respondent Nos.3 to 5, and no relief has been claimed in the Writ Petition.

The Right to Information Act, 2005 is an enactment which has been made to enable citizens to demand for information which is required to be made public but not in public domain. There is a definite procedure and the time frame within which the designated information officer is required to comply with by furnishing required information. In cases where the authorities fail to furnish information, there is remedy of appeal provided. Withholding of information without valid reason also invites penalties against the concerned officers. In other words, there is an effective alternative mechanism available to the petitioner to obtain information which he seeks.

In the circumstances, Writ Petition is closed giving liberty to the petitioner to approach the designated information officer of respondent No.2 – GHMC. Needless to mention that the information officer of respondent No.2 – GHMC shall process the application, in accordance with law, as expeditiously as possible.

Miscellaneous petitions pending, if any, shall stand dismissed. No order as to costs.

CHALLA KODANDA RAM,J

Date: 30.03.2017
 usd

