

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.3803 of 2018

I.Vincent Christopher
S/o.Irudhayasamy

.. Petitioner

Vs.

- 1.The Chief Secretary
Government of Tamil Nadu
Secretariat
Chennai-600 009.
- 2.The Principal Secretary / Chairman and Managing Director
Tamil Nadu Generation and Distribution Corporation Limited
TANGEDCO Ltd (Formerly TNEB)
800, Anna Salai, Chennai-2.
- 3.The Director Finance
Tamil Nadu Generation and Distribution Corporation Limited
TANGEDCO Ltd (Formerly TNEB)
800, Anna Salai, Chennai-2.
- 4.The Senior Deputy Chief Internal Audit Officer
Tamil Nadu Generation and Distribution Corporation Limited
TANGEDCO Ltd (Formerly TNEB)
Audit Branch
800, Anna Salai, Chennai-2.
- 5.The Chief Internal Audit Officer (Account)
Tamil Nadu Generation and Distribution Corporation Limited
TANGEDCO Ltd (Formerly TNEB)
Audit Branch
800, Anna Salai, Chennai-2.
- 6.The Chief Engineer
Mettur Thermal Power Station-1
Tamil Nadu Generation and Distribution Corporation Limited
TANGEDCO Ltd (Formerly TNEB)
Mettur Dam, Pin Code - 636 406.

7.The Superintending Engineer
Purchase and Administration
Mettur Thermal Power Station-1
Tamil Nadu Generation and Distribution Corporation Limited
TANGEDCO Ltd (Formerly TNEB)
Mettur Dam, Pin Code - 636 406.

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, based on the representation / application of the petitioner dated 27.12.2017 to the respondents, directing the respondents to provide / furnish the information to the petitioner.

For Petitioner: Mr.R.Rangarajan

For Respondent : Mr.B.Anandan

Government Advocate for R1

Mr.P.R.Dilipkumar

standing counsel for R2 to R7

O R D E R

This writ petition is filed seeking for mandamus directing the respondents to consider the petitioner's representation / application dated 27.12.2017, wherein and whereby, he sought for certain information.

2. Heard the learned counsel for the petitioner and perused the materials placed before this Court.

3. It is not in dispute that in pursuant to the representation made by the petitioner dated 27.12.2017, the Public Information Officer, Tamil Nadu Generation and Distribution Corporation Limited, Chennai-2, through a proceeding dated 23.01.2018, passed an order stating as follows:

"With reference to your representation above the following remarks are offered.

2. It is requested to remit Rs.42/- (Rupees Forty Two Only) to furnish the copies of Note file and the letter.

3. The details called for under Serial No.4 are not maintained in Audit Branch.

4. Note not emanated in this office. It is requested to remit Rs.4/- (Rupees Four Only) to furnish the copies of letters.

5. The details called for under Serial No.6 does not relate to this office.

6. The details called for under Serial No.7 are not related to this office.

7. The details called for under Serial No.8 are not related to this office.

8. The details called for under Serial No.12 are not clear.

Moreover, as per the instruction in vogue, a person who desire to obtain any information under this act shall make a request to the Public Information Officer for providing information accompanying a fee of Rs.10/- through cash / Bankers Cheque / Postal Order, whereas you have affixed a Court fee stamp of Rs.5/- on your application which is not valid. However, the informations requested for by you have been furnished.

Further, since your query seeking information is not clear, you are requested to be more specific about the information you seek hence forth."

4. Further, the Superintending Engineer, namely, the 7th respondent herein has also passed another order on 29.01.2018, rejecting the request of the petitioner on the reasons set out in the said communication. When both the above said communications are issued to the petitioner in pursuant to his representation dated 27.12.2017, it is for the petitioner to challenge the said proceedings in a manner known to law before the appropriate forum. Instead of doing so, filing the present writ petition, that too, again seeking to consider his representation dated 27.12.2017 is not maintainable. Accordingly, this writ petition is dismissed as the prayer sought for in this writ petition is not maintainable, however, by granting liberty to the petitioner to work out his remedy for the above said proceedings passed by the authorities in a manner known to law. No costs.

s/d-

Assistant Registrar (CS VII)

True Copy

Sub-Assistant Registrar

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To

1. The Chief Secretary
Government of Tamil Nadu
Secretariat
Chennai-600 009.

WEB COPY

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+1 CC to Govt. Pleader sr 14030.

+1 Cc to Mr.R. Rengarajan, Advocate sr 14168.

KJI (CO)
SP(01/03/2018)

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