

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2018

CORAM

THE HON'BLE MR.JUSTICE HULUVADI G.RAMESH  
AND  
THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.A.No.1376 of 2017

D.Vijayalakshmi

...

Appellant

-vs-

State represented by

1. The Tamil Nadu Information Commission  
rep.by the State Information Commissioner,  
No.2, Thiyagaraya Street,  
(Adjacent to Alaiyamman Temple),  
Teynampet, Chennai-600 018.  
(R-1 deleted vide order of Court dated 08.11.2017 in  
W.A.No.1376 of 2017).
2. The Public Information Officer,  
Right to Information Act 2005  
Madras High Court,  
Chennai-600 104.

...

Respondents

Appeal filed under Clause 15 of Letters Patent, against the  
order passed by this Court in W.P.No.27468 of 2016 dated  
27.06.2017.

W.P.No.27468 of 2016:-

Writ petition filed under Article 226 of the Constitution of  
India, praying to issue a Writ of Certiorarified Mandamus  
Calling for the records of the first respondent relating to the  
impugned order in case No. SA-12689/ Maa. Tha.Ka. Aa / 2015  
dated 08.04.2016 passed by the 1st respondent and quash the same  
as illegal and arbitrary and consequently direct the 2nd  
respondent to supply the required information on the receipt of  
this order

For Appellant

:: Mrs.D.Vijayalakshmi,  
Party-in-Person

For Respondents

:: Mr.P.K.Rajagopal for R2

JUDGMENT  
(Delivered by M.DHANDAPANI, J.)

The case of the appellant is that on 13.03.2010, she was evicted from her house with the help of Advocate Commissioner, who was appointed by the I Additional District Munsif Court, Coimbatore. Thereafter, the appellant filed a complaint to the Registrar General of this Court against the District Munsif. She also filed another complaint to the Registrar General in this connection. Thereafter, the appellant filed a petition under Right to Information Act, 2005, on 09.07.2015, seeking information regarding the complaints made by her. It is also her case that the District Judge, Coimbatore had called her for enquiry and recorded her evidence and also forwarded a detailed report to the Registrar General of this Court. She sought for a copy of the report given by the District Judge, Coimbatore from the Registrar General of this Court. Out of five questions raised by the appellant, the second respondent, the Public Information Officer, Madras High Court, had answered the first four questions and declined to give the copy of the report of the District Judge, Coimbatore. The appeal filed by the appellant before the first respondent was rejected on 08.04.2016 stating that adequate freedom and inbuilt safeguard can be provided to the Hon'ble Chief Justice of the High Court in exercising the discretionary powers either to supply or to deny the information. The first respondent also relied upon a Division Bench judgment of this Court reported in 2013 W.L.R.413 (The Registrar General, Madras High Court vs. K.Elango) and observed that as a matter of fact the notings, administrative letters, intricate internal discussions, deliberations etc., of the High Court cannot be brought under Section 2(j) of the Right to Information Act.

2.The appellant herein filed a writ petition in W.P.No.27468 of 2016 to quash the order passed by the first respondent dated 08.04.2016 and to direct the second respondent to supply the required information to her. The said writ petition was dismissed on 27.06.2017. Challenging the same, the present writ appeal is filed.

3.The appellant appeared in person and submitted that the learned single Judge has failed to consider the fact that the second respondent has passed the order without conducting hearing in the appellant's complaint / appeal as per Sections 18, 19 and 20 of the Right to Information Act and Appeal procedure rules.

4.Heard the appellant who appeared in person and the learned counsel for the second respondent and perused the materials available on record.

5.It has been held by this Court in its judgment reported in 2013 W.L.R.413 (The Registrar General, Madras High Court vs. K.Elango) that as a matter of fact the notings, administrative letters, intricate internal discussions, deliberations etc., of the High Court cannot be brought under Section 2(j) of the Right to Information Act. The learned single Judge has dismissed the writ petition holding that the ratio laid down by this Court in the above decision is squarely applicable to the facts of the present case. We have no second opinion about that aspect.

6.Further, it appears that the appellant has been making numerous allegations against the Judicial Officers who decided the orders against her, which is not at all tenable. It amounts to only abusing the very purpose of seeking information under the Right to Information Act.

7.In view of the above stated circumstances, we hereby dismiss the writ appeal with a warning to the appellant not to repeat all such things in future. No costs.

Sd/-  
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

KM

To

The Public Information Officer,  
Right to Information Act 2005  
Madras High Court,  
Chennai-600 104.

+2ccS to Mrs.D.Vijayalakshmi,, Advocate, S.R.No.36931

W.A.No.1376 of 2017

KS (CO)  
CS/03/07/18

WEB COPY