

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :17.04.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.22870 of 2014
and
M.P.Nos.1 & 2 of 2014

Rani Anna Handloom Weaver's Coop.
Production and Sale Society Ltd., E.H.No.78,
Rep.by its President,
E.Selvan,
S/o.Easwaran,
No.50, Mariamman Koil Street,
Bommanpatti, Kovundapadi Post,
Bhavani Taluk, Erode District. ...Petitioner

Vs

1.The Textile Control Officer/Public Information Officer,
O/o.Assistant Director of Handloom & Textiles,
No.426, Bhavani Main Road,
Ashokapuram,
Erode.

2.S.Rajammal ...Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India to issue of Writ of Certiorari, calling for the entire records relating to the impugned order passed by the 1st respondent in his proceedings Na.Ka.12028/2014/G, dated 14.08.2014 and quash the same.

For Petitioner : Mr.C.Prakasam

For Respondents: Mr.J.Ramesh, GA for R1
Mr.I.C.Vasudevan for R2

O R D E R

The relief sought for in this writ petition is to quash the order dated 14.08.2014, issued by the 1st respondent.

2.The impugned order issued by the 1st respondent states that the informations sought for by the writ petitioner was not available with the 1st respondent and the application submitted by the writ petitioner was sent to the society concerned and further, the writ petitioner was directed to approach the society concerned for the purpose of getting further informations. Such a communication can never be construed as a grievance in view of the fact that the 1st respondent has provided an information to the writ petitioner by stating that the writ petitioner should approach the concerned Managing Director/Public Information Officer for the purpose of receiving information under the provisions of Right to Information Act.

3.Instead of approaching the concerned authority, the writ petitioner has chosen to file the present writ petition unnecessarily. Under the provisions of the Right to Information Act, the citizen has to approach the appropriate authority and in the event of any refusal, then they are bound to approach the State Information Commission for redressing the grievances. Contrarily, the writ petition under Article 226 of the Constitution of India, cannot be entertained for the purpose of redressing the grievances of the writ petitioner. However, in the present case, there is no cause of action in respect of the order impugned and the order impugned is only an information provided to the writ petitioner to approach the competent authority.

4.This being the factum of the case, the writ petition is absolutely misconceived and accordingly, devoid of merits and stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS VI)

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Sub Assistant Registrar

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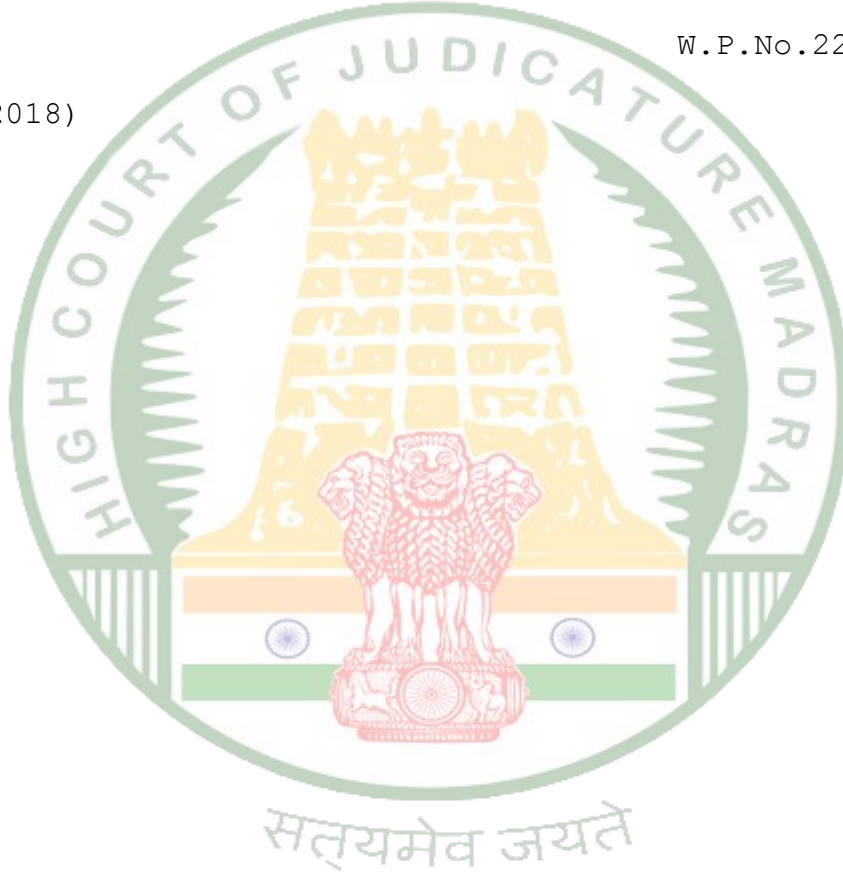
To

1.The Textile Control Officer/Public Information Officer,
O/o.Assistant Director of Handloom & Textiles,
No.426, Bhavani Main Road,
Ashokapuram,
Erode.

+1cc to Mr.C.Vasudevan, Advocate SR.No.28671
+1cc to Mr.C.Prakasam, Advocate SR.No.28939
+1cc to Government Pleader SR.No.28881

W.P.No.22870 of 2014

BR(CO)
GN(07/05/2018)



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