

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2018

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.750 of 2010
and
MP.No.1 of 2010

The Secretary,
Tamil Nadu State Vigilance Commission,
Secretariat,
Chennai - 600 009. Petitioner

Vs.

1. P.Ramakrishnan,
22, West College Road (Upstairs)
Jaganathan Nagar,
Arumbakkam, Chennai - 600 106.
2. The Tamil Nadu Information Commission,
Old No.273, new No.378, Anna Salai,
Teynampet, Chennai - 600 018 represented by the
State Chief Information Commissioner.
... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records relating to the order dated 03.12.2009 made in Case No.10431/Enquiry/09 passed by the respondent. ^{2nd}

For Petitioner : Mr.J.Ramesh, AGP

For R1 : Mr.Cheiziyan for M/s.R.Meenal

For R2 : Mr.L.P.Maurya
for M/s.G.R.Associates

O R D E R

Challenging the order passed by the second respondent, the petitioner has filed this writ petition.

2. According to the petitioner, the information sought by the first respondent from the Commissioner, Vigilance and Anti-corruption, Chennai was directed to be furnished by the State Commission. Hence, this writ petition.

3. When the matter was taken up for consideration, the learned counsel for the respective parties submitted that the issue involved herein is squarely covered by the decision of a Division Bench of this Court in the Superintendent of Police, Central Range, Office of the Directorate of Vigilance and Anti-Corruption v. R. Karthikeyan and others [2011 (3) CTC 241], wherein, the Division Bench held that the power conferred on the State to exempt particular department from the purview of the Rights to Information Act can be exercised for intelligence and security Organisations and it cannot notify in respect of information pertaining to allegations of corruption and human rights and hence, the contention of the State that the Department of DVAC was exempted from purview of the Act was rejected and the order of the Commission was upheld.

4. Following the aforesaid decision, this writ petition stands dismissed by confirming the order of the second respondent. No costs. Consequently, connected Miscellaneous Petition is also dismissed.

Sd/-
Assistant Registrar (CS VII)

//True Copy//

Sub Assistant Registrar

rk/av
To

The State Chief Information Commissioner,
Tamil Nadu Information Commission,
Old No.273, new No.378, Anna Salai,
Teynampet, Chennai - 600 018.

+1cc to Ms.R.Meenal, Advocate Sr.50868
+1cc to the Government Pleader Sr.50781

W.P.No.750 of 2010

sj[co]
srg 16/08/2018