

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2018

CORAM: THE HONOURABLE Mr.JUSTICE N.SESHASAYEE

W.P.No.26957 of 2017

S.Mythili

... Petitioner

-Vs-

The District Collector
O/o. The District Collector
Kancheepuram District
Kancheepuram.

... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the first respondent to dispose of the petitioner's representation dated 02.08.2017.

For Petitioner : Mr.S.Jayasankar
for Mr.S.Sethuraman

For Respondent : Mr.A.Zakir Hussain
Government Advocate

ORDER

This writ petition is filed in the nature of application filed under the Right to Information Act, where the petitioner seeks break-up of the various amounts that goes to constitute the total sum awarded in the matter arising under the Tamil Nadu Act 10 of 1999. In a seven paged reply which is absolutely unnecessary and a sheer waste of time and stationery, the respondent has indicated that the award amount represents the compensation amount agreed under Section 7(2) of the said Act plus solatium and interest thereon.

2. When the matter was taken up for hearing on 24.01.2018, Mr.A.Zakir Hussain, learned Government Advocate defending the respondent sought some time to provide the information sought. The learned Government Advocate was also required to produce a copy of the agreement said to have been made under Section 7(2) of the Tamil Nadu Act 10 of 1999 and the matter was adjourned to 30.01.2018. Today, the matter is taken up for hearing. Even today, the respondent is not able to furnish the information sought by this Court.

3. Admittedly, it is a case of the respondent that the amount indicated in the award represents the market value of the property determined and agreed to between the parties under Section 7(2) of the Act plus the solatium and interest thereon. The petitioner only wants to know what component of the said consolidated sum constitutes the alleged market value of the property according to the Collector as the one agreed to between the parties under Section 7(2) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997. Is the information sought, a break-up of the award sum, any classified information that is incapable being shared with the citizen? Not in the 21 century India.

4. As already indicated this petition is more in the nature of a petition under the Right to Information Act, but then, petitioner's effort to obtain the information has proved to be futile under the said enactment. Is the heads of amounts, the sum total of which was the award rather than driving the petitioner to move the appellate authority under the Right to Information Act, it will only be appropriate to direct the respondent to furnish the information required by the petitioner within one month from the date of receipt of a copy of this order, in accordance with law. This petition is allowed accordingly. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

ds

To:

The District Collector
O/o. The District Collector
Kancheepuram District
Kancheepuram.

+1cc to the Government Pleader, S.R.No.6970

W.P.No.26957 of 2017

RVR(CO)
RRK(16/02/2018)