

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2018

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

W.P. 34323 of 2018

M/s.Vijay Gowtham Engineering
Works,

rep. by its Partner

G.Ravi,

No.211/A, RS Road,

Reddypalayam,

Athipattu, Chennai-600 120.

... Petitioner

Versus

1. The Commissioner,
Greater Chennai Corporation,
Ripon Buildings,
Chennai-600 003.
2. The Superintending Engineer/
Public Information Officer,
Greater Chennai Corporation,
Ripon Buildings,
Chennai-600 003.
3. The Superintending Engineer,
Bus Route Roads Department,
Greater Chennai Corporation,
Ripon Buildings,
Chennai-600 003.
4. The Superintending Engineer,
Building Department,
Greater Chennai Corporation,
Ripon Buildings,
Chennai-600 003.
5. The Superintending Engineer,
Solid Waste Management Department,
Greater Chennai Corporation,
Ripon Buildings,
Chennai-600 003.

6. The Finance Adviser,
Finance Management Unit,
Greater Chennai Corporation,
Ripon Buildings,
Chennai-600 003.

... Respondents

PRAYER: Writ petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, forbearing the respondents from furnishing or inspecting the documents mentioned in the letter in S.W.D.C.No.B3/4161-27, 62 & 63/2017 dated 19.11.2018 on the file of 2nd respondent with regard to the petitioner under the Right to Information Act, 2005 or under the provisions of Indian Evidence Act to any other third party.

For Petitioner : Mr.K.Madhan

For Respondents : Mrs. Karthikaa Ashok
Standing Counsel

ORDER

This writ petition has been filed forbearing the respondents from furnishing the information sought for by the third party pursuant to a notice issued under Section 11(1) of the Right to Information Act (hereinafter called as "Act")

2. Heard the learned counsel appearing for the petitioner and the learned Counsel appearing for the respondents and perused the materials available on record carefully.

3. It is only a notice under Section 11(1) of the Act, asking for opinion of the petitioner, and pursuant to the notice, under Section 11(2) of the Act, the petitioner has submitted his objections. Now, the authorities shall pass order under Section 11(3) of the Act, regarding the furnishing of information as required by the third party after considering the objections raised by the petitioner. If the petitioner is aggrieved by the same, he can prefer appeal under Section 19 of the Act. It is only a notice issued under Section 11(1) of the Act, at this stage, the petitioner cannot challenge the same. Hence, I find no merit in the writ petition.

4. However, now the petitioner has submitted his objection under Section 11(2) of the Act, and the authorities concerned are directed to consider the petitioner's objection and pass suitable orders on merits under Section 11(3) of Act, after giving opportunity to the petitioner. Till the order is passed, the respondents are directed not to furnish any information to third parties.

5. With the above direction, the present writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-IV)

//True copy//

Sub Assistant Registrar

rpp

To

1. The Commissioner,
Greater Chennai Corporation,
Ripon Buildings,
Chennai-600 003.
2. The Superintending Engineer/
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Ripon Buildings,
Chennai-600 003.
3. The Superintending Engineer,
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Greater Chennai Corporation,
Ripon Buildings,
Chennai-600 003.
6. The Finance Adviser,
Finance Management Unit,
Greater Chennai Corporation,
Ripon Buildings,
Chennai-600 003.

+1cc to Mr.K.Madhan, Advocate SR.No.89549

+1cc to Ms.Karthikaa Ashok, Advocate SR.No.89795

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SPD(CO)
GMY(05/02/2019)



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