

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2018

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

W.P.Nos.34342, 34343 & 34344 of 2018

M/s.Sri Sivaram & Co.,
rep. by its Partner
Chidambaram,
No.8, Municipal Complex,
Opp. Balu Bunk, Sathy Main Road,
Gobichettipalayam,
Erode District.

... Petitioner in all the petitions

Vs.

1. The Commissioner,
Greater Chennai Corporation,
Rippon Buildings,
Chennai - 600 003.

... First Respondent in all the
Petitions

2. The Public Information Officer,
Storm Water Drain Department,
Greater Chennai Corporation,
Rippon Buildings,
Chennai - 600 003.

... 2nd Respondent in WP Nos.34342
& 34343 of 2018

3. The Public Information Officer,
Bus Route Roads Department,
Greater Chennai Corporation,
Rippon Buildings,
Chennai - 600 003.

... 2nd Respondent in WP No.34344/2018

PRAYER : Petitions filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus forbearing the respondents from furnishing or inspecting the documents mentioned in the letter in S.W.D.C.No.B3/4161-29/2017, S.W.D.C.No.B3/4161-21/2017 and B.R.R.C.No.5127/2018 dated

19.11.2018 respectively on the file of the 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.C.Senthil Kumar
(in all W.Ps)

For Respondents : Mrs. Karthikaa Ashok
Standing Counsel
(in all W.Ps)

C O M M O N O R D E R

These writ petitions have 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 petitioners 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 petitioners, and pursuant to the notice, under Section 11(2) of the Act, the petitioners have submitted their 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 petitioners. If the petitioners are aggrieved by the same, they 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 petitioners cannot challenge the same. Hence, I find no merit in the writ petitions.

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

5. With the above direction, all the writ petitions are disposed of. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

rpp

To

1. The Commissioner,
Greater Chennai Corporation,
Rippon Buildings,
Chennai - 600 003.
2. The Public Information Officer,
Storm Water Drain Department,
Greater Chennai Corporation,
Rippon Buildings, Chennai - 600 003.
3. The Public Information Officer,
Bus Route Roads Department,
Greater Chennai Corporation,
Rippon Buildings, Chennai - 600 003.

+4 cc's to Mr.C.Senthilkumar, Advocate Sr.Nos.89843,89844
+1 cc to Mrs.Karthika Ashok, Advocate SR.No.89792

W.P.Nos.34342, 34343 &
34344 of 2018

RK(CO)
CSL/20.02.2019

सत्यमेव जयते

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