



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:23.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P. (MD) No.21703 of 2018

R.K.Veerasamy

... Petitioner

vs.

The District Revenue Officer,
Collector's Office,
Virudhunagar.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of Mandamus directing the respondent District Revenue Officer, Virudhunagar to provide a copy of L.E. 1 licence issued to Mahendra fireworks within the time frame as stipulated by this Court.

For Petitioner : Mr.C.Jeganathan

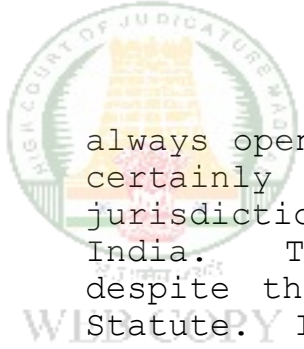
For Respondent : Mr.S.Angappan
Government Advocate

O R D E R

The petitioner has approached this Court seeking issuance of writ of Mandamus directing the respondent District Revenue Officer, Virudhunagar to provide a copy of L.E. 1 licence issued to Mahendra fireworks within the time frame as stipulated by this Court.

2. According to the petitioner, the respondent has not furnished him a copy of L.E.1 licence issued to one Mahendra Fire Works and non-furnishing of copies of licence has deprived the petitioner challenging the grant of licence to the said Mahendra Fire Works. According to the petitioner, he has approached the competent authority for furnishing the copy and despite the same, the copy has not been furnished.

3. This Court is unable to appreciate as to how the writ petition is maintainable, when the petitioner has already chosen to invoke the provisions of Right to Information Act for getting the copy of documents sought by him. In case, the petitioner is aggrieved by any order passed by the Information Officer, it is



always open to him to file an appeal against the said order. It is certainly not open to the petitioner to invoke the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India. This Court finds that the present writ petition is filed, despite the availability of the appeal remedy under the relevant Statute. It is an abuse of process of Court and therefore, the Writ Petition is dismissed as not maintainable. No costs.

Sd/-

Assistant Registrar (PROTOCOL)

/True Copy/

Sub Assistant Registrar (CS IV)

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To

The District Revenue Officer,
Collector's Office,
Virudhunagar.

1CC TO M/S. VEERA ASSOCIATES, ADVOCATE SR 91098
1CC TO THE SPL GOVT PLEADER SR 91403

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