

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 18.01.2019

CORAM
THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

W.P. 1265 of 2019

V.Gowthaman,
Partner,
M/s.Macroh Infra Developers,
L4, SICO Industrial Estate,
Nanjikottai Road,
Thanjavur-613 006.

...Petitioner

Versus

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

2. The Public Information Officer,
Storm Water Drain Department,
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 disclosing tender details and other associated documents sought for vide letter bearing S.W.D.C.No.3437/A/2018 dated 13.11.2018 until such time a reasoned order is passed by the respondents under Sec.11(3) of the RTI Act (the Act) on the basis of the objections submitted by the petitioner under Sec.11(2) of the Act.

For Petitioner : Mr.V.Raghavachari

For Respondents : Mrs.Karthikaa Ashok
Standing Counsel

ORDER

This writ petition has been filed forbearing the respondents from disclosing tender details and other associated documents 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 III)

//True Copy//

Sub Assistant Registrar

rpp

To

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

+1cc to Mrs.Karthikaa Ashok, Advocate, S.R.No.3660
+1cc to Mr.V.Raghavachari, Advocate, S.R.No.3916
+1cc to the Government Pleader, S.R.No.4564

W.P. 1265 of 2019

SSI (CO)
rrs 14/02/2019