

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2019

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

W.P.s 2304, 2307 & 2309 of 2019

W.P. 2304 of 2019

M/s.Sri Karpagam Construction,
rep. by its Proprietor,
R.Vijayakumar,
No.5, Chinnaya Garden,
Jones Road,
Chennai-600 015.

...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,
Rippon 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.B3/4161-5/2017 dated 19.11.2018 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.

W.P. 2307 of 2019

M/s.Sri Ramajayam Construction,
rep. by its Proprietor,
K.R.Parthasarathy,
No.151, Lakeview Road,
West Mambalam,
Chennai-600 017.

... 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,
Rippon Buildings, Chennai-3.

... 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.B3/4161-69/2017 dated 19.11.2018 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.

W.P. 2309 of 2019

D.Kumar

... 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,
Rippon 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.B3/4161-50/2017 dated 19.11.2018 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.Senthilkumar
For Respondents	:	Mrs. Karthikaa Ashok Standing Counsel

C O M M O N O R D E R

These writ petitions have 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 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 these writ petitions.

4. However, now the petitioners have submitted their objections under Section 11(2) of the Act, and the authorities concerned are directed to consider the petitioners' objections 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, the present writ petitions are disposed of. No costs.

s/d-

सहायक न्याय
Assistant Registrar (CO)

True Copy

Sub-Assistant Registrar

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To

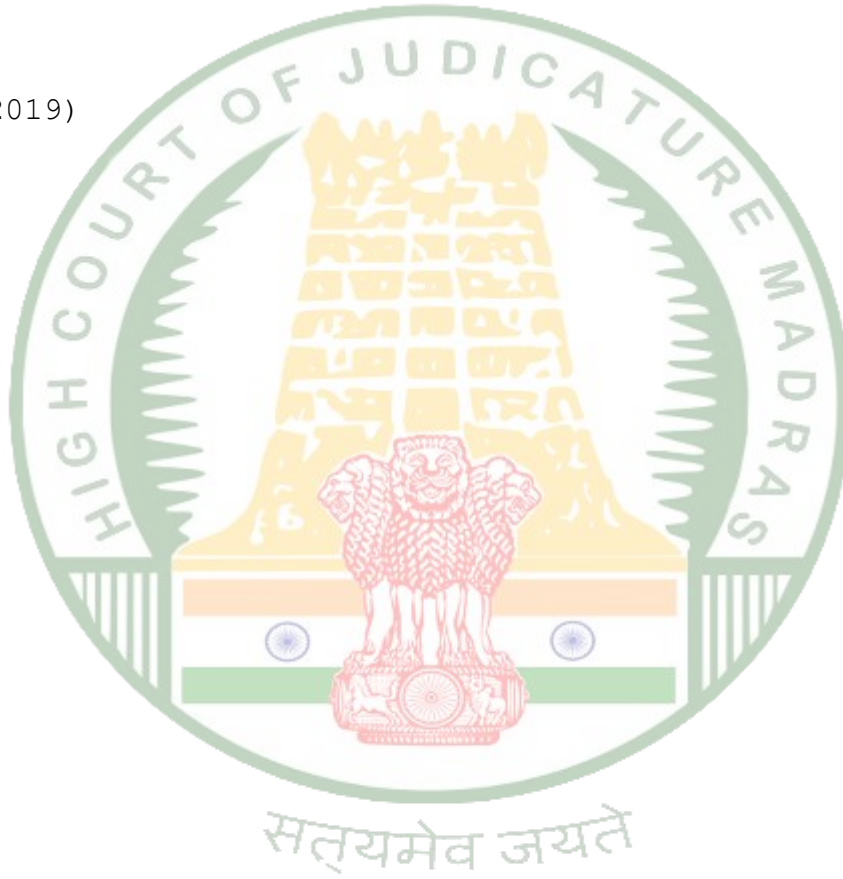
1. The Commissioner,
Greater Chennai Corporation,
Ripon Buildings,
Chennai-600 003.

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

+1 CC to Mrs.Karthikaa Ashok,Advocate sr 6936.

W.P.s 2304, 2307 &
2309 of 2019

CA(CO)
SP(06/03/2019)



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