

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2019

CORAM

THE HONOURABLE Dr.JUSTICE ANITA SUMANTH

WP.No.4430 of 2019

M/s.Gurumurthy Engineering Enterprises
Represented by its Proprietor,
Mr.V.Gurumurthy.

... Petitioner

Vs.

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.

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 Waster 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 filed under Article 226 of the Constitution of India, praying for a Writ of Certiorarified Mandamus or order or direction in the nature of a writ forbearing the respondents from furnishing or inspecting the documents mentioned in the letter in S.W.D.C.No.B3/4161-25/2017 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.K.Madhan

For Respondents : Mr.T.C.Gopalakrishnan
Standing Counsel

ORDER

The petitioner has sought a Mandamus forbearing the respondents from furnishing or inspecting the documents mentioned in letter in S.W.D.C.No.B3/4161-25/2017 dated 19.11.2018 on the file of the 2nd respondent with regard to the petitioner under the Right To Information Act, 2005 (RTI) to any other third party.

2. Heard Mr.K.Madhan, learned counsel for the petitioner and Mr.T.C.Gopalakrishnan, learned Standing Counsel for the respondents.

3. I am of the view that the writ petition is premature as the proceedings are at a very preliminary stage. The Corporation, vide its notice dated 19.11.2018, issued in terms of section 11 (1) of the Right to Information Act, 2005 (in short 'Act') has only sought the opinion of the petitioner in regard to the sharing of various information with Arappor Iyakkam, a Non Governmental Organization, that has sought various details in regard to tenders, other documents and personal details of the petitioner. The petitioner has filed an objection in terms of section 11 (2) of the Act on 30.11.2018 requesting the 2nd respondent not to hand over the details sought to the NGO.

4. In the light of the fact that the objection has filed by the petitioner is pending disposal, the Corporation is directed to dispose of the petition after affording an opportunity to the petitioner within a period of six (6) weeks from today. Till such time, the Authorities shall not divulge any of the details sought for by the 3rd party NGO.

5. The Writ Petition is disposed of in the above terms with no order as to costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

rkp

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.
- 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 Waster 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.

+1cc to M/S.T.C.Gopalakrishnan, Advocate Sr.23049
+1cc to M/S.K.Madhan, Advocate Sr.22800

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srg 14/03/2019

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