

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2019

CORAM :

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.NOS.9829 & 9765 of 2019
and
WMP.Nos.10418 & 10360 of 2019

WP.No.9829 of 2019

Mullai Malar ... Petitioner

Vs.

1.The Commissioner,
Greater Chennai Corporation,
Rippon Building, Chennai.

2.The Public Information Officer,
Zone - 5,
Greater Chennai Corporation,
No.61, Basin Bridge Road,
Chennai - 21.

3.The Zonal Officer,
Zone - 5,
Greater Chennai Corporation,
No.61, Basin Bridge Road,
Chennai - 21.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the Respondents from disclosing the petitioner's Contract related matters / documents under Proc.No.Ma.A.5 N.Ka.No.E1/0107/2018 - dated 13.6.2018, to any 3rd parties, without taking recourse to the Provisions of Sec.11(1), (2) and (3) of the Right to Information Act, 2005.

WP.No.9765 of 2019

Mullai Malar ... Petitioner

Vs.

- 1.The Commissioner,
Greater Chennai Corporation,
Rippon Building, Chennai.
- 2.The Public Information Officer,
Zone - 9,
Greater Chennai Corporation,
No.1, Lake Area, 4th Street,
Nungambakkam, Chennai - 34.
- 3.The Zonal Officer,
Zone - 9,
Greater Chennai Corporation,
No.1, Lake Area, 4th Street,
Nungambakkam, Chennai - 34.
- 4.The Special Officer,
Standing Committee (Works),
Standing Committee (Taxation and Finance)
And Council
Greater Chennai Corporation,
Rippon Building, Chennai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the Respondents from disclosing the petitioner's Contract related matters / documents under Proc.No.Z.O.IX.C.No.E1/0099/486/2017 - dated 2.3.2017, to any 3rd parties, without taking recourse to the Provisions of Sec.11 (1), (2) and (3) of the Right to Information Act, 2005.

(In both WPs)

For Petitioner : Mr.AR.M.Arunachalam

For Respondents : Mr.T.C.Gopalakrishnan

Standing Counsel for Respondents

COMMON ORDER

The writ petitioner seeks a mandamus that would forbear the respondents from disclosing her contract related matters / documents under Proceeding No.MA.A 5 N.Ka.No.E1/0107/2018 dated 13.06.2018 and Proceeding No.Z.O.IX.C.No.E1/0099/ 486/2017 dated 02.03.2017 to any 3rd parties without taking recourse to the provisions of Section 11(1)(2) and (3) of the Right to Information Act, 2005.

2.Similar issue has been considered by this Court in W.P.No.34178 of 2018 and batch, W.P.No.1236 of 2019 and 2304 of 2019 and batch.

3.The petitioner has stated in the affidavit that she has been receiving certain telephone calls from unknown numbers asking her to furnish various information in relation to contract for which she has submitted a tender and thus, she legitimately anticipates that 3rd parties are interested in obtaining the aforesaid information. It is in these circumstances that she has approached this Court to ensure protection under the provisions of the Right to Information Act (RTI Act).

4.I am of the view that both these writ petitions are premature since they are only based on an apprehension of the petitioner. No notice has been received by the petitioner under Section 11(1) of the Act thus far, and needless to say, no information will be furnished by the concerned officer, to third parties without complying with the provision of the RTI Act including Section 11(1) thereof.

5.Both these writ petitions are disposed of in the above terms. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

vs/tsg

To

- 1.The Commissioner,
Greater Chennai Corporation,
Rippon Building, Chennai.
- 2.The Public Information Officer,
Zone - 5,
Greater Chennai Corporation,
No.61, Basin Bridge Road,
Chennai - 21.
- 3.The Zonal Officer,
Zone - 5
Greater Chennai Corporation,
No.61, Basin Bridge Road,
Chennai - 21.

4.The Public Information Officer,
Zone - 9,
Greater Chennai Corporation,
No.1, Lake Area, 4th Street,
Nungambakkam, Chennai - 34.

5.The Zonal Officer,
Zone - 9,
Greater Chennai Corporation,
No.1, Lake Area, 4th Street,
Nungambakkam, Chennai - 34.

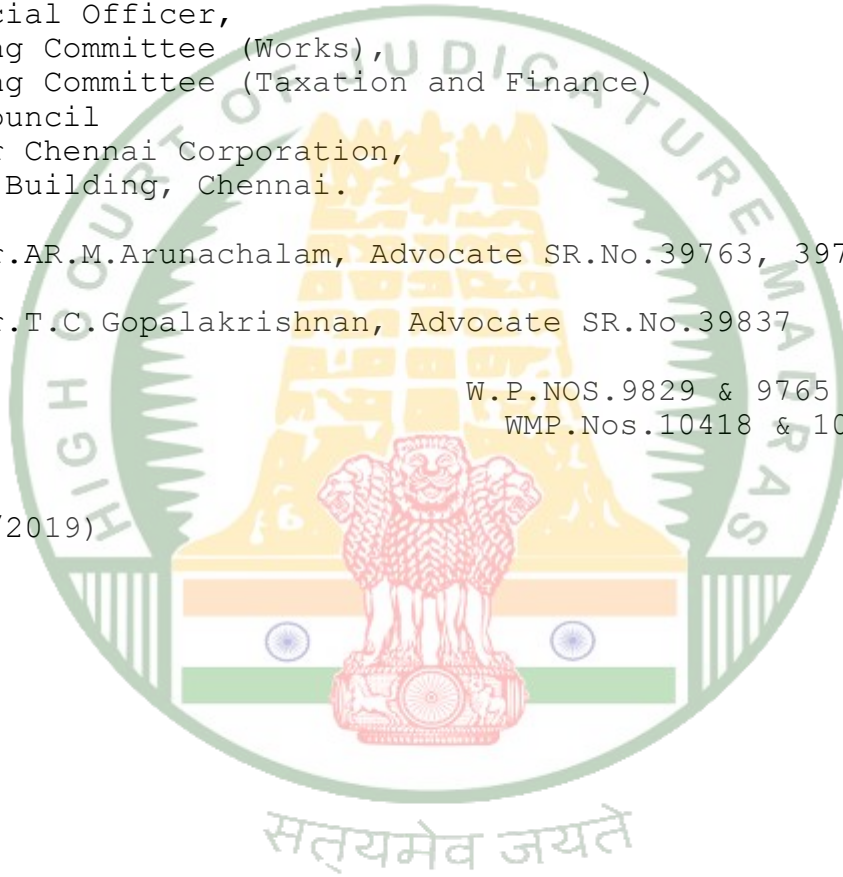
6.The Special Officer,
Standing Committee (Works),
Standing Committee (Taxation and Finance)
And Council
Greater Chennai Corporation,
Rippon Building, Chennai.

+2cc to Mr.AR.M.Arunachalam, Advocate SR.No.39763, 39764

+1cc to Mr.T.C.Gopalakrishnan, Advocate SR.No.39837

W.P.NOS.9829 & 9765 of 2019 and
WMP.Nos.10418 & 10360 of 2019

KAN(CO)
GMY(19/06/2019)



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