

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.6.2019

CORAM

THE HONOURABLE DR.JUSTICE VINEET KOTHARI
AND

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.A.No.2753 of 2018

A.Parasuraman

..Appellant/ Petitioner

Versus

1. The State Chief Information Commissioner,
Tamilnadu Information Commission,
No.2, Thiyagaraya Road, Teynampet,
Chennai 600 018.
2. The Appellate Authority/SC
Joint Secretary to Government,
Public (SC) Department,
Secretariat, Chennai 600 009.
3. The Public Information Officer,
SC Under Secretary to Government,
Public (SC) Department,
Secretariat, Chennai 600 009. ..Respondents/Respondents

Prayer: Writ Appeal filed under Clause 15 of Letters Patent against the order of this court dated 5.6.2018 in W.P.No.12365 of 2018.

W.P.No.12365 of 2018:- Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus calling for records of the respondents resulting in the 1st respondent impugned order passed in order No. SA-7626/SCIC/2017 dated 20.12.2017 and quash the same and directing the 3rd respondent to permit the petitioner to inspect the following files relating to appointment of Strictly confidential C Assistant section Officers in Public Department (i) Stock files relating to calling for the willingness of the special branch assistants from the special branch CID and Intelligence Section of Chennai City Police and that of the special assistants from the DVAC and their appointment as strictly confidential assistant section officers in Public (S.C.) Department during the years 2005.2006 and 2007.

For appellant : Mr.T.Mohan for
Mr.M.Praveen Kumar

For R1 : Mr.Niranjan Rajagopal

For R2 & R3 : Mr.N.Srinivasan AGP

JUDGMENT

(Judgment of the court was made by Dr.VINEET KOTHARI, J.)

The present Appeal is directed against the order passed by the learned Single Judge on 5.6.2018 whereby the learned Single Judge has held that since the Public (Strictly Confidential) Department is exempted from the purview of the Right to Information Act 2005, the respondents have rightly rejected the application filed by the present petitioner seeking certain information from that Department.

2. Learned counsel for the Appellant submitted that the said Department ought to have forwarded the application seeking the information to the relevant Department which, according to him, is Public (Establishment -IV) Department of the State Government.

3. The learned counsel for the Respondents, have no objection for granting a liberty to the Appellant/Petitioner to approach the said relevant Department for seeking the said information which can deal with the application in accordance with law.

4. Therefore, the present Appeal is disposed of by giving liberty to the Appellant/Petitioner to approach the aforesaid Public (Establishment-IV) Department of the State Government and the Public Information Officer concerned shall deal with the same in accordance with law. No costs.

ssk

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

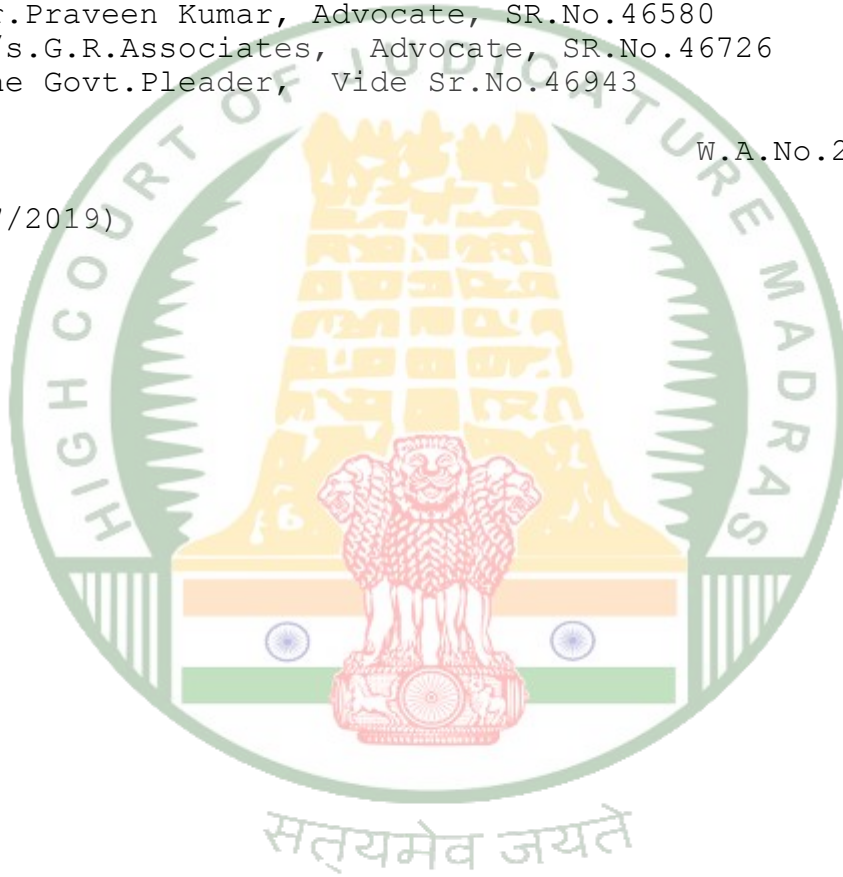
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+1cc to Mr.Praveen Kumar, Advocate, SR.No.46580
+1cc to M/s.G.R.Associates, Advocate, SR.No.46726
+1cc to the Govt.Pleader, Vide Sr.No.46943

W.A.No.2753 of 2018

Kak(23/07/2019)



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