

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2019

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

W.P.No.34416 of 2018

and

W.M.P.Nos.39995 & 39993 of 2018

1. M/s.Vax Consultant Pvt. Ltd.,
No.18, Vax Residency,
rep. by its Director,
Lakshmana Rao,
4th Gangaiaimman Koil Street,
Vadapalani, Chennai - 600 026.
2. M/s.Landtech Engineers Pvt Ltd.,
rep. by its Director,
Mark Paulraj S.,
C/o. No.18, Vax Residency,
4th Gangaiaimman Koil Street,
Vadapalani, Chennai - 600 026. Petitioners

Versus

1. The Commissioner,
Greater Chennai Corporation,
Rippon Buildings, Chennai - 600 003.
2. The Public Information Officer,
Storm Water Drain Department,
Greater Chennai Corporation,
Rippon Buildings, Chennai - 600 003.
3. The Superintending Engineer,
Bus Route Roads Department,
Greater Chennai Corporation,
Rippon Buildings, Chennai - 600 003.
4. The Superintending Engineer,
Buildings Department,
Greater Chennai Corporation,
Rippon Buildings, Chennai - 600 003.
5. The Superintending Engineer,
Solid Waste Management Department,
Greater Chennai Corporation,

Rippon Buildings, Chennai - 600 003.

6. The Finance Adviser,
Finance Management Unit,
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 any details of the documents mentioned in the letter in S.W.D.C.No.B3/2668/2018 dated 19.11.2018 on the file of the second respondent with regard to the petitioners under the Right to Information Act, 2005 or under the provisions of Indian Evidence Act to any other third party.

For Petitioners : Mr.S.Duraisamy

For Respondents : Mrs.Karthikaa Ashok

ORDER

This writ petition has been filed forbearing the respondents from furnishing the information 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 an 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 an 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 this writ petition.

4. However, now the petitioners submitted their objections under Section 11(2) of the Act, and the authorities concerned are directed to consider the petitioners objection 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, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

ssi/mrp

To

1. The Commissioner,
Greater Chennai Corporation,
Rippon Buildings, Chennai - 600 003.
2. The Public Information Officer,
Storm Water Drain Department,
Greater Chennai Corporation,
Rippon Buildings, Chennai - 600 003.
3. The Superintending Engineer,
Bus Route Roads Department,
Greater Chennai Corporation,
Rippon Buildings, Chennai - 600 003.
4. The Superintending Engineer,
Buildings Department,
Greater Chennai Corporation,
Rippon Buildings, Chennai - 600 003.
5. The Superintending Engineer,
Solid Waste Management Department,
Greater Chennai Corporation,
Rippon Buildings, Chennai - 600 003.
6. The Finance Adviser,
Finance Management Unit,
Greater Chennai Corporation,
Rippon Buildings, Chennai - 600 003.

+1cc to Mr.Karthikaa Ashok, Advocate SR.No.984

+1cc to Mr.S.Doraisamy, Advocate SR.No.1184

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GJII(CO)
GMY(30/01/2019)



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