

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.01.2020

Coram

The Honourable Mr.Justice K.RAVICHANDRABAABU

W.P.No.22086 of 2015

N.Rajagopal

...Petitioner

Versus

- 1.Tamil Nadu State Information Commission,
No.2, Thiyagarayar Road,
Eldams Road Junction,
Teynampet, Chennai - 600 018 rep
by Registrar
- 2.The Appellate Authority/Deputy Inspector General,
Registration Department,
Office of the Deputy Inspector General,
Chennai - 600 001.
- 3.The Public Information Officer,
Office of the District Registrar (Society Registration)
Chennai Central District,
182, Bharathi Salai, Royapettai,
Chennai - 600 014.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari calling for the records relating to Case No.14733/C/2013 on the file of the first respondent and quash the order dated 20.05.2015 passed by the first respondent in Case No.14733/C/2013.

For Petitioner	:	Mr.M.Ganesh
For Respondent - 1	:	Mr.Niranjana Rajagopalan
Respondents - 2 & 3:		Mr.P.P.Purushothaman, Government Pleader

O R D E R

The present writ petition has been filed challenging the order of the first respondent dated 20.05.2015, dismissing the Appeal filed by the petitioner under Right To Information (RTI) Act, for the reason that Thirunelveli Thuthukudi District Retired Police Welfare Association will not fall under the purview of RTI Act.

2. Heard both sides.

3. The petitioner seems to have sent a complaint dated 09.07.2012, to the District Registrar (Societies Registration), Chennai Central Registration District, Chennai alleging certain malpractices and unlawful activities of one Mr.Sakthivel, the General Secretary of the Tamil Nadu Retired Police Welfare Association and to take up an enquiry under Section 38 of the Tamil Nadu Societies Registration Act, 1975.

3.1 Since no action was taken on the petitioner's complaint he sent another detailed complaint dated 03.09.2012 to the District Registrar (Societies Registration), Chennai Central Registration District, Chennai requesting him to conduct an enquiry under Section 38 of the Tamil Nadu Societies Registration Act, 1975 for the alleged malpractices and unlawful activities of the aforesaid Mr.Sakthivel.

3.2 Thereafter, he sent an Application dated 30.10.2012 under RTI Act, requesting the third respondent to furnish the information about the action taken on his complaint dated 03.09.2012. However, the third respondent did not furnish any information. Hence, the petitioner filed an Appeal before the second respondent/Appellate Authority. The second respondent/Appellate Authority vide letter dated 20.12.2012 directed the third respondent to furnish the information as sought for by the petitioner. Thereafter, the third respondent vide Letter dated 27.12.2012 informed the petitioner that appropriate action is being taken on his complaint and enquiry is pending and therefore, information regarding enquiry proceedings could not be furnished under the RTI Act. Aggrieved by the inaction, the petitioner filed an Appeal in Case No.14733/C/2013 before the State Information Commission under Section 19(3) of the RTI Act, however, the same was dismissed vide order dated 20.05.2015.

4. The grievance of the petitioner is that his complaints dated 03.09.2012 and 30.10.2012 were not considered by the respondents.

5. The learned Government Pleader appearing for the respondents 2 & 3 based on instructions submitted before this Court that the petitioner's complaints will be considered by the respondents 2 & 3 and appropriate orders will be passed within a short time.

6. The said submission of the learned Government Pleader is recorded.

7. In view of the submission made by the learned Government Pleader for the respondents 2 & 3, this Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

- 1.The Registrar,
Tamil Nadu State Information Commission,
No.2, Thiyagarayar Road,
Eldams Road Junction,
Teynampet, Chennai - 600 018.
- 2.The Appellate Authority/Deputy Inspector General,
Registration Department,
Office of the Deputy Inspector General,
Chennai - 600 001.
- 3.The Public Information Officer,
Office of the District Registrar (Society Registration)
Chennai Central District,
182, Bharathi Salai, Royapettai,
Chennai - 600 014.

+1cc to Mr.M.Ganesh, Advocate sr.6534

+1cc to M/s.G.R. Associates sr.6920

+1cc to Government Pleader SR.NO. 7695

W.P.No.22086 of 2015

nr(co)
nr 27/02/2020