

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MRS.JUSTICE R.HEMALATHA

W.P.No. 7770 of 2020
& W.M.P.No. 9150 of 2020

M.Karpagam

.. Petitioner

Vs

The Deputy Secretary and Tresurer
The Cheif Ministers Public Relief
Fund Finance (CMPFR) Department
Govt.of Tamil Nadu, Secretariat, Chennai- 600 009

.. Respondent

Petition filed under Article 226 of the Constitution of India praying for the issuance of writ of mandamus directing the respondent to update the website of the Cheif Minister Public Relief Fund with information regarding constitution of the fund, administration of the fund, list of donors, list of beneficiaries, government orders sanctioning the fund and all other relevant information regarding the fund.

For Petitioner .. Mr.R.Prabhakaran

For Respondent .. Mr.V.Jayaprakash Narayanan
Government Pleader

ORDER
(Order of the Court was made by M.M.SUNDRESH, J.)

This public interest litigation has been filed by the petitioner with the grievance that the complete information with respect to the donation made by various donors to the Chief Minister's Public Relief Fund (CMPRF) has not been furnished along with the requisite particulars.

2. In the counter affidavit filed, the following statement has been made:-

"8. With reference to the averments made in paragraphs 11,12,13,14 and 15 of the affidavit, it is submitted that the Government does not deny the fact that it is the right of the citizen to access information. Further, the Government has nothing to suppress about the Chief Minister's Public Relief Fund and Hon'ble Chief Minister in a very transparent manner has issued press releases every week, ever since the situation of pandemic arose, disclosing the details of contributions received which is accessible under 'Press Releases' section of Tamil Nadu Government Website. Due to COVID-19 lockdown, many Government offices have been functioning with minimum essential staff and therefore it has not been possible to update/integrate the Chief Minister's Public Relief Fund website with the details as requested by the petitioner. Nevertheless, in future, the Government will upgrade the website the more information and proactive disclosure to the Public in the interest of greater transparency. The Government has responded to the outbreak by taking several measures keeping in view the public interest. Further, as pointed out by the petitioner, steps would be taken to upgrade the website by publishing more information to the Citizens/Public."

3. The learned Government Pleader appearing for the respondent submitted that the information as sought for could not be provided in view of the pandemic situation as the respondent is running the administration with limited staff. However, as stated in the affidavit recorded above, steps would be taken to upgrade the website by publishing more information to the Citizens/Public.

4. Governance would certainly include transparency. An element of transparency would avoid the arbitrary action. Inasmuch as the respondent themselves have stated that the information published are not complete and the adequate particulars would be provided in terms of the request made by the petitioner, on a subsequent date, we direct the respondent to undertake the said exercise and upgrade the website by publishing more information to the

citizens/public by taking into consideration of the details as requested by the petitioner. The needful will have to be done within a period of eight weeks from the date of receipt of a copy of this order.

5. The writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant RegistrarADI (MDU)

//True Copy//

Sub Assistant Registrar

mmi/ssm

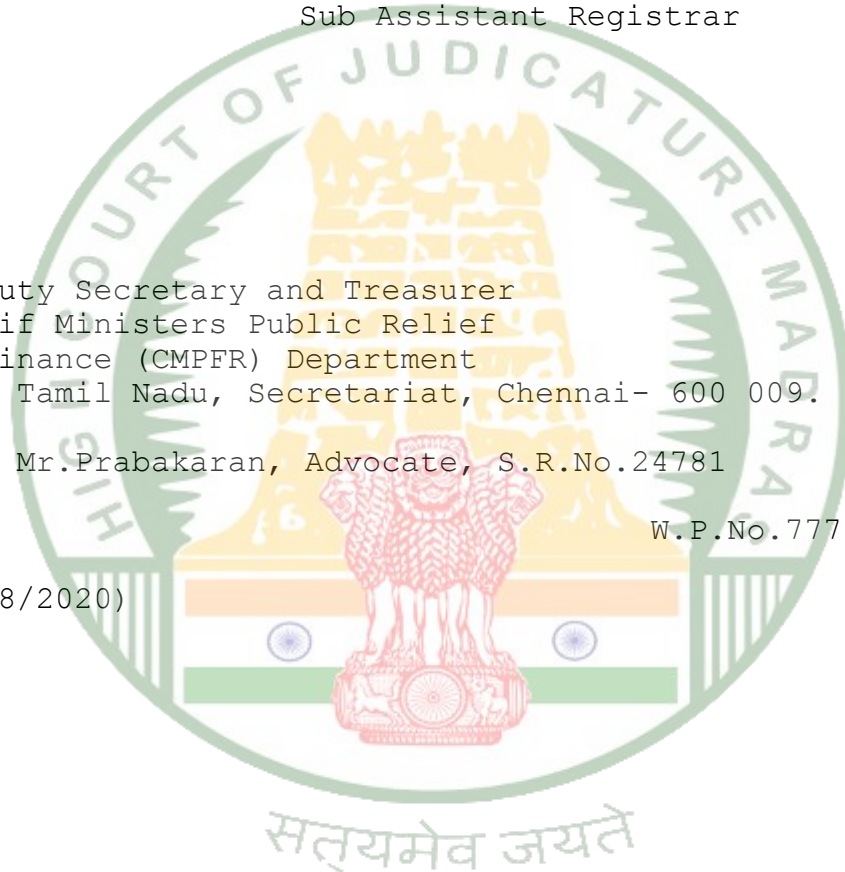
To

The Deputy Secretary and Treasurer
The Cheif Ministers Public Relief
Fund Finance (CMPFR) Department
Govt.of Tamil Nadu, Secretariat, Chennai- 600 009.

+1cc to Mr.Prabakaran, Advocate, S.R.No.24781

W.P.No.7770 of 2020

MG(CO)
CB(18/08/2020)



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