

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2020

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 9369 of 2019

and

W.M.P. Nos. 9938 and 9941 of 2019

The Principal (i/c)/Public Information Officer (i/c),
Madras Christian College (Autonomous),
Tambaram East,
Chennai - 600 059.

...Petitioner

-vs-

1. The Joint Director of Collegiate Education
Chennai Region / 1st Appellate Authority,
Saidapet, Chennai - 600 015.

2. Tamil Nadu Information Commission,
Rep. by its Registrar,
No. 2, Theagaraya Road,
Teynampet, Chennai - 600 018.

3. R. Prabhakaran

...Respondents

Prayer:- Writ Petition filed under Article 226 of the
Constitution of India praying to issue a Writ of Certiorari, to
call for the records relating to the impugned order of the
Second Respondent, TN Information Commission in Case No. SA
8074/A/2017 dated 02.07.2018 and the consequential notice in
Case No. SA 8074/D/2017 (CP 101/D/2018) dated 19.03.2019, quash
the same.

For Petitioner : Mr. Godson Swaminath
for M/s. Issac Chambers

For Respondents : Mr. Akhil Akbar Ali (For R1),
Government Advocate

Mr. Niranjan Rajagopalan (For R2),
Standing Counsel

No Appearance (For R3)

O R D E R
(through video conference)

Heard Mr. Godson Swaminath, Learned Counsel for the Petitioner, Mr. Akhil Akbar Ali, Learned Counsel for the First Respondent and Mr. Niranjana Rajagopalan, Learned Counsel for the Second Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition challenges the order dated 02.07.2018 in SA 8074/A/2017 and consequential notice dated 19.03.2019 in SA 8074/D/2017 (CP 101 / D/ 2018) passed by the Second Respondent viz., Tamil Nadu State Information Commission in the Second Appeal filed by the Third Respondent seeking certain information from the Petitioner.

3. It has been brought to the notice that the Petitioner has sent a letter dated 09.09.2020 to the Third Respondent giving fresh response to the information sought in the RTI application dated 13.07.2017, which is in furtherance to the impugned order. However, it is sought to be contended by the Learned Counsel for the Petitioner that certain observations have been made by the Second Respondent in the impugned order relating to G.O. (D) No. 157, Higher Education (G1) Department, dated 11.05.2017, which according to him would not be applicable to the Petitioner, inasmuch as the powers conferred by the Second Respondent under the Right to Information Act, 2005, to furnish information does not extend to determination of rights of parties in the strict sense unlike Courts. It would suffice to clarify here that the observations relating to the applicability of that such Government Order to the Petitioner made by the Second Respondent in the impugned order shall not preclude the Petitioner from raising any contention in that regard when any future occasion arises for the same.

4. It is also made clear that if the Third Respondent is still aggrieved by the furnishing of information in the letter dated 09.09.2020 sent by the Petitioner, it is open to him to work out his remedy before the proper forum in the manner recognized by law.

Accordingly, the Writ Petition is disposed on the aforesaid terms. Consequently, the connected Miscellaneous Petitions are closed. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

dm

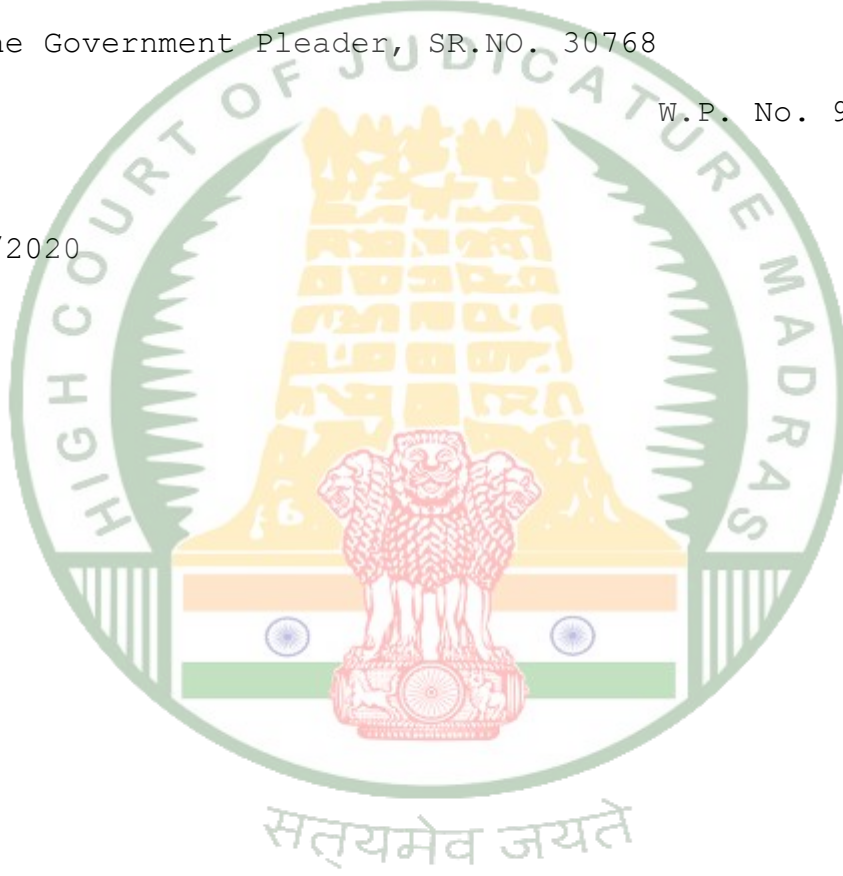
To

1. The Joint Director of Collegiate Education Chennai Region/
1st Appellate Authority,
Saidapet,
Chennai - 600 015.
2. The Registrar,
Tamil Nadu Information Commission,
No. 2, Theagaraya Road,
Teynampet,
Chennai - 600 018.

+1cc to the Government Pleader, SR.NO. 30768

W.P. No. 9369 of 2019

PP (CO)
KKV/24/09/2020



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