



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.12.2021

CORAM :

THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM

W.P.No.23014 of 2013

and

M.P.No.1 of 2013

C.K.College of Engineering & Technology
Jayaram Nagar
Chellangkuppam
Cuddalore 607 003.

... Petitioner

-Vs-

1. The Assistant Registrar
The Tamilnadu Information Commission
2, Theagarayar Salai, Near Aalal Amman Koil
Teynampet, Chennai-600 018

2. G.Ganesan ... Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, to call for the records of the 1st respondent in Order No.19967/C/2013 and quash the order dated 11.7.2013 passed therein.

For Petitioner : Mrs.Hema Muralikrishnan.

For Respondent 1 : Mr.Niranjan Rajagopalan.
For M/s.G.R.Associates

For Respondent 2 : Mr.S.D.Arunkumar.

O R D E R

The Order dated 11.07.2013 passed by the 1st respondent directing the Public Information Officer of the petitioner college to supply information to the 2nd respondent is under challenge in the present Writ Petition.

2. The order passed by the Tamil Nadu Information



Commission is cryptic and the scope of the issuing such a direction to the petitioner college has to be considered with reference to the provisions of the Right to Information Act.

3. The learned counsel for the petitioner made a ground that the petitioner being a private Engineering College is not amenable to the provisions of the Right to Information Act. This aspect has to be considered by the Commission with reference to the legal procedures, in consonance with the provisions of the Act and based on the information sought for by the information seeker. All these aspects are to be considered to form an opinion whether the information seeker is entitled to get information under the provisions of the Act.

4. In view of the facts and circumstances, the order impugned passed by the 1st respondent in Order No.19967/C/2013 dated 11.07.2013 is quashed and the matter is remitted back to the 1st respondent for fresh hearing and deciding the issue on merits and in accordance with law, by affording opportunity to all the parties, as expeditiously as possible.

5. With this direction, the Writ Petition stands allowed. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

shr/kan

To

1. The Assistant Registrar
The Tamilnadu Information Commission
2, Theagarayar Salai, Near Aalal Amman Koil
Teynampet, Chennai-600 018.

+1cc to Mr.L.Murali Krishnan, Advocate SR.No.64756
+1cc to Mr.G.R.Associates, Advocate SR.No.64324

W.P.No.23014 of 2013

JP II(CO)
GN(04/01/2022)