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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2021

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.9945 OF 2011

AND

M.P.NO.2 OF 2011

K.M.Samiappan

...Petitioner

Vs

1. The Assistant Director of
Handloom & Textiles
Department / Public Information Officer,
No.426, Bhavani Main Road,
Ashokapuram, O/o.Assistant Director of
Handloom & Textiles,
Erode.
2. The Special Officer,
Kalikkavalasu Primary Cum Industrial
Sale Society Ltd., No.E.H.131,
Murungatholuvu Post, Chennai - 638 051,
Erode District.
3. N.P.Ramesh

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the entire records relating to the impugned order passed by the 1st respondent in his proceedings Na.Ka.4635/2011/G(2), dated 07.4.2011 and quash the same.



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For Petitioner : Mr.C.Prakasam

For Respondents R1 : Mr.C.Jayaprakash
Government Advocate

R2 : Mr.L.P.Shanmugasundaram

R3 : Mr.I.C.Vasudevan

ORDER

The order dated 07.04.2011 is under challenge in this writ petition.

2. The order impugned was issued by the Public Information Officer to the Special Officer of the 2nd respondent, Co-operative Society, to furnish information under the Right to Information Act in respect of the application submitted by the third respondent Mr.N.P.Ramesh. Thus, the transaction and exchange of application was between the respondents 2 and 3 and the petitioner is no way connected with the application submitted by the third respondent under the Right to Information Act.

3. Curiously, the writ petitioner filed the petition, questioning the internal communication between the Public Information Officer and the Special Officer of the 2nd respondent / Co-operative society. The manner, in which, the writ petition is filed, would indicate that the writ petitioner, who is unconnected with the RTI application, is induce to file the present writ petition and the writ petition filed in such a manner, can never be appreciated by the High Court as the person aggrieved is expected to approach the Court for redressal of the grievances. The writ petitioner cannot be construed as an aggrieved person as the RTI application was submitted by the third respondent to the first respondent, who in turn, directed the second respondent to furnish the particulars.

4. This being the factum, the writ petitioner has not established any right for the purpose of entertaining the writ



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petition and consequently, the writ petition stands dismissed.
No costs. Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-IV)

// True Copy //

Sub Assistant Registrar

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To

1. The Assistant Director of
Handloom & Textiles
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No.426, Bhavani Main Road,
Ashokapuram, O/o.Assistant Director of
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Erode.
2. The Special Officer,
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RGN(CO)

RLP(24/11/2021)