



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.12.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.40791 OF 2015

A.Victoria

... Petitioner

Vs

1. The Commissioner,
Tamil Nadu Public Information Office,
No.2, Thiyagaraya Road,
Teynampet, Chennai - 600 018.
2. The Secretary,
The Appellate Authority,
Central Office,
Arcto Lutharan Church,
Cuddalore.
3. The Correspondent,
Danish Mission Secondary School,
Thiruvannamalai.
4. The Public Information Officer,
The District Educational Office,
Thiruvannamalai.
5. Mrs.Sangeetha

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the 2nd respondent to furnish the information on the petitioner's application dated 30.01.2015 as per Right to Information Act.

For Petitioner :Mr.R.Sethuvarayar

For Respondents:Mr.Niranjan Rajagopalan

For M/s.G.R.Associates For R1

Mr.Bhagawat For Mrs.Srinath Sridevan

For R2.

R3 & R5 - No appearance.

Mr.M.S.Arasakumar

Government Advocate (Education)

For R4.



O R D E R

The relief sought for in this writ petition is for a direction to the second respondent to furnish the information on the petitioner's application dated 30.01.2015 under the Right to Information Act.

2. The grievances of the writ petitioner was that the information sought for had not been furnished by the Public Information Officer and the petitioner approached the Tamilnadu Information Commission, who in turn, directed the Public Information Officer to provide information within the period contemplated.

3. The learned counsel appearing on behalf of the Tamilnadu Information Commission brought to the notice of this Court that pursuant to the directions issued by the Commission, informations were provided to the petitioner and if at all, the petitioner is aggrieved from and out of the information provided, the petitioner is at liberty to approach the Commission for consideration.

4. This Court is of the considered opinion that even if an incomplete information is provided, the petitioner has to approach the Commission for further proceedings under Sections 18 & 20 of the RTI Act. Even for imposing the penalty under Section 20 of the Act, adjudication is required. Therefore, this Court cannot undertake such an adjudication, which requires examination of documents and evidences. Thus, if the petitioner is not satisfied with the information furnished by the Public Information Officer, the petitioner is at liberty to file a complaint for appropriate action.

5. With this liberty, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

kmm

To

1. The Commissioner,
Tamil Nadu Public Information Office,
No.2, Thiyagaraya Road,
Teynampet, Chennai - 600 018.



2. The Secretary,
The Appellate Authority,
Central Office,
Arcto Lutharan Church,
Cuddalore.

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3. The Correspondent,
Danish Mission Secondary School,
Thiruvannamalai.
4. The Public Information Officer,
The District Educational Office,
Thiruvannamalai.

+1cc to M/s.G.R.Associates, Advocate, S.R.No.66258

+1cc to the Government Pleader, S.R.No.67039

W.P.No.40791 of 2015

SRA(CO)
RLP(07/01/2022)