WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.09.2021

Coram

The Honourable Mr.Justice R.MAHADEVAN

W.P.No.33713 of 2016
and W.M.P.No.29095 of 2016

R.K.K.Mohan,
President,
Z421, Primary Agricultural Co-operative Loan Sangam Ltd.,
Kachanam – 610 201,
Thiruthuraipoondi Taluk,
Thiruvarur District. ...Petitioner

Versus

1.The Secretary,
Z421, Primary Agricultural Co-operative Loan Sangam Ltd.,
Kachanam – 610 201,
Thiruthuraipoondi Taluk,
Thiruvarur District.

2.Mr.E.Dhananjeyan ...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus forbearing the first respondent by furnishing informations in relates to the Z421, Primary Agricultural Co-operative Loan Sangam Ltd., Kachanam by declaring the above said Co-operative Society will not fall under the definition of "Public Authority" as defined under Section 2(h) of the Right Information Act.

For Petitioner : Mr.V.Kasinatha Bharathi

For Respondent – 1 : Mrs.T.Girija
Respondent – 2 : Mr.P.Vijendran

O R D E R

The relief sought in this writ petition is to forbear the first respondent from furnishing information in relation to Z421, Primary Agricultural Co-operative Loan Sangam Limited, Kachanam (for brevity, 'Sangam').

https://hcservices.ecourts.gov.in/hcservices/

WEB COPY

2.According to the petitioner, he is the president of the aforesaid Sangam. The second respondent, claiming himself as President of the Anti-Corruption and People Rites Protection Counsel, sought information about the account numbers and address of the members of the said Sangam along with their photos through Right to Information Act, from the first respondent. Feeling aggrieved, the petitioner approached the first respondent and requested not to furnish those details to him. Finding no response on the same, he has filed this writ petition for the aforesaid relief.

3.When the matter was taken up for consideration, the learned counsel appearing for the first respondent submitted that the issue involved herein is squarely covered by a decision of this court in the Public Information Officer v. the Registrar, Tamil Nadu Information Commission [2015 (4) CTC 105], wherein, it was held that the Co-operative Societies will not fall within the definition of 'public authority' as defined under Section 2(h) of the RTI Act and hence, there is no requirement for the first respondent to furnish the information sought by the second respondent.

4.Recording the submission so made by the learned counsel for the first respondent, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

mrr

To

The Secretary,
Z421, Primary Agricultural Co-operative Loan Sangam Ltd.,
Kachanam - 610 201,
Thiruthuraipoondi Taluk,
Thiruvarur District.

+1cc to Mr.P.Vijendran, Advocate, S.R.No.46755
+1cc to Mrs.T.Girija, Advocate, S.R.No.47021
+1cc to the Government Pleader, S.R.No.47236

W.P.No.33713 of 2016

BR(CO)
CB(18/10/2021)

https://hcservices.ecourts.gov.in/hcservices/