



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2021

CORAM

THE HON'BLE Mr. JUSTICE M.S.RAMESH

W.P.No. 15591 of 2021

M.Gnanasekar

...Petitioner

Vs

The Public Information Officer,  
O/o. The Addl. Secretary to Govt of India,  
Ministry of Home Affairs,  
Government of India,  
New Delhi-110001.

...Respondent

Prayer: Writ Petition is filed under Article 226 of Constitution of India for writ of Certiorarified Mandamus, calling for the concerned records relating to the order vide No.43020/01/2021 - 1879, dated 21.06.2021 passed by the respondent and quash the same and consequently directing the respondent to furnish the require information as per the application submitted by the petitioner on 22.05.2021.

For Petitioner : Mr.M.Gnanasekar  
(party in Person)

For Respondent : Mr.Rajesh Vivekanandan

O R D E R

The prayer sought for in the present writ petition is to direct the respondent to furnish the require information as per the application submitted by the petitioner on 22.05.2021.

2. Section 6 of the RTI Act 2005, entitles a person to seek for information under the Act by making a written requisition or through electronic means in three modes of languages, namely English or Hindi or in the official language of the area in which the application is being made. The very purpose for which the Act entitles a person to adopt one of the three methods of the languages is in order to enable such a person, who is not acquainted with one or more of the other languages. When the Act facilitates the person to make an application in one particular language among the three, an inference could be drawn that the concerned Public Information Officer, would also be



required to supply the information or any other communication in connection with the petitioner's application, in the same language in which the representation is made. The very fact that the Public Information Officer has understood the language in which the petitioner has made the application, would substantiate such an inference.

3. In this background, it is seen that when the petitioner, who appears as a party-in-person, has sought for certain information through an application made in English language, the 1<sup>st</sup> respondent herein had chosen to send a reply dated 21.06.2021 in Hindi language. It is the specific case of the petitioner that he is not acquainted with the Hindi language.

4. In the light of the observations made by this Court, the respondent herein is not justified or rather not permitted to send a reply in a language which was not the language adopted by the petitioner in his application. The only option available to the respondents would be to reply or furnish the required information in the language in which the application is made. As such, the impugned communication itself cannot be sustained.

5. At this juncture, the learned counsel for the petitioner submitted that he had later taken steps to translate the impugned communication and had sent another application subsequently.

6. The learned counsel for the respondent submitted that pursuant to the 2<sup>nd</sup> application, they have now sent another communication in English language in the same lines of the impugned communication dated 21.06.2021. As such, the grievance of the petitioner seems to be considerably met and no further orders are required to be passed in the present writ petition.

7. Accordingly, the present writ petition is closed. No costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

The Public Information Officer,  
O/o. The Addl. Secretary to Govt of India,  
Ministry of Home Affairs,  
Government of India,  
New Delhi-110001.

+1 CC to Mr.M.Gnanasekar, (Party-in-person), Sr.No. 41853.  
+1 CC to Mr.R.Rajesh Vivekanandan, Advocate, Sr.No. 41709.

W.P.No. 15591 of 2021

PMK (CO)  
LS (09/09/2021)