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IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 31.08.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.20369 of 2014

A.Ravi

...Petitioner

Vs

1.The Public Information Officer,
The Corporation of Vellore,
Vellore.

2.The Commissioner & Appellate Authority,
The Corporation of Vellore, Vellore.

3.The Commissioner,
The Tamil Nadu State Information
Commission,
No.2 Thiyagaraya Salai, Teynampet,
Chennai - 600 018.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records of the 3rd respondent, relating to the proceedings bearing No.55618/D/2013 dated 22.04.2014 quash the same consequently directing the respondents 1 & 2 to issue the copy of the child birth permanent register from 6360 to 6380 maintained at Zone XI, Corporation of Vellore within the stipulated time and to the penalty of Rs.25,000/- each and to recommend for disciplinary action against respondents 1 & 2.

For Petitioner : Mr.C.M.Mohana Sundaram
for M/s.M.S Associates

For R1 & 2 : Mr.S.Silambanan,
Senior Advocate/AAG
for Ms.P.Shanthi

For R3 : Mr.Niranjan Rajagopalan
for R3

ORDER

By consent of both the parties, this writ petition is taken up for final disposal.



2. The petitioner's earlier request for certain information made under the provisions of the Right to Information Act, 2005, dated 29.05.2013, was supplied by the first respondent on 08.08.2013. Not being satisfied with the same, the petitioner seems to have made an appeal before the State Information Commission, which had directed the second respondent to furnish such information.

3. As per the order dated 30.05.2014, when the second respondent herein had furnished the details, the petitioner has filed the present Writ Petition, stating that there are certain malpractices conducted by the second respondent, owing to which, the second respondent had failed to furnish copies of the Birth Certificates sought for by him with regard to the registrations that have taken place between 29.08.2009 and 31.08.2009. In other words, the petitioner herein requires copies of all the Birth Certificates, which was registered between this period.

4. Under Section 8(1)(j) of the Right to Information Act, information that relates to personal information, which may amount to unwarranted invasion of the privacy of an individual, need not be disclosed.

5. The petitioner herein has not substantiated that the personal information is sought for under larger public interest. The grounds raised in the present Writ Petition are also not to that effect.

6. As rightly pointed out by the learned Senior Counsel appearing for the first and second respondents, the copies of the certificates sought for by the petitioner covering the Birth Certificate of individuals, which certificates may amount to invasion of the privacy of such individual, are not required to be furnished, in view of the bar under Section 8(1)(j) of the RTI Act.

7. This apart, it is seen that when the petitioner wanted specific information about the birth details that were registered under the second respondent between 29.08.2009 and 31.08.2009, the second respondent has chosen to supply the information through the birth registration numbers commencing from 6283 to 6372, which accounted for 89 registrations.

8. This Court is of the view that the information sought for by the petitioner has been sufficiently supplied and hence, the petitioner will not be entitled for the copies of the Birth Certificates, in view of the prohibition under Section 8(1)(j) of the Act.



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9. Accordingly, I do not find any merits in the present writ petition and hence, the same stands dismissed. No costs.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

hvk/drm

To

- 1.The Public Information Officer,
The Corporation of Vellore,
Vellore.
- 2.The Commissioner & Appellate Authority,
The Corporation of Vellore,
Vellore.
- 3.The Commissioner,
The Tamil Nadu State Information
Commission,
No.2 Thiyagaraya Salai, Teynampet,
Chennai - 600 018.

+1cc to Mr.G.R.Associates, Advocate, S.R.No.43624

W.P.No.20369 of 2014

SSV(CO)
GN(20/09/2021)