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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:14.12.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.26608 of 2021

V. Anbalagan

.....Petitioner

Vs

1. The Inspector General of Registration,
No.100, Santhome High Road,
Chennai.

2. The Public Information Officer,
The District Registrar (Administration),
Chidambaram.

3. The District Registrar,
Chidambaram.

.....Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents herein to provide the information under the Right to Information Act-2005 regarding details of members from 1982 to 2019 and copies of statutory forms filed by the Thiruvalluvar Education Society (Regd No.3/1958) including yearly returns based on the petitioner's representation dated 22.02.2020 within a time-frame fixed by this Court.

For petitioner : Mr. G. Bala and Daisy

For Respondents : Mr. R. Kumaravel,
Additional Government Pleader for Registration

ORDER

The present petition has been filed seeking issuance of a Writ of Mandamus, directing the respondents herein to provide the information under the Right to Information Act-2005 regarding details of members from 1982 to 2019 in the Thiruvalluvar Education Society based on the petitioner's representation dated 22.02.2020 within a time-frame fixed by this Court.



2. The case of the petitioner is that the petitioner after the demise of his father had been running the Thiruvalluvar Higher Secondary school situated at Cuddalore district which was run by the Thiruvalluvar Education Society established by his father the Late. Venugopal in the 1958. While being so, in the year 2013, due to the fraud committed by the some of the petitioner's relatives, the management of the said society was taken away from the petitioner without any information to the petitioner which had affected the functioning of the said school. In order to retrieve the school, the petitioner had sought for the details of the change of office bearers and other details from the respondents, however, the petitioner was made to run from pillar to post. Since, the information sought for by the petitioner was not provided with, he had sent a reminder on 22.02.2020 to the respondents seeking information with regard to the management of the school, however, till date no action has been taken on the same. Hence, the petitioner left with no other alternative has filed the present Writ Petition seeking the above relief.

3. The learned counsel for the petitioner submits that under the Right to Information Act, 2005, the petitioner is entitled to provide with the information sought for. Therefore, it would suffice if this Court, issues direction to the respondents to consider the petitioner's representation dated 22.02.2020 and provide the information sought for by the petitioner within a particular time frame fixed by this Court.

4. The learned Additional Government Pleader submits that there is an appeal remedy available for the petitioner under the Right to Information Act, 2005 and the petitioner may approach the competent Authority to work out his remedy in accordance with law. Instead of availing such remedy, filing Writ Petition before this Court is not sustainable. Hence the prayer sought for by the petitioner cannot be acceded to and the present petition is liable to be dismissed.

5. Heard the learned counsel on the either side and perused the materials available on record.

6. In view of the aforesaid submissions, this Court is of the opinion that when the appeal remedy is available under the Act, the petitioner shall avail the remedy under the Act before the competent Authority. Filing the Writ Petition before this Court is not sustainable and the prayer sought for by the petitioner cannot be acceded to. This Writ Petition is



accordingly disposed of granting liberty to the petitioner to work out his remedy before the competent Authority in the manner known to law. No Costs.

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Sd/-
Assistant Registrar (CS-VI)

//True copy//

Sub Assistant Registrar

NHS

To

1. The Inspector General of Registration,
No.100, Santhome High Road,
Chennai.
2. The Public Information Officer,
The District Registrar (Administration),
Chidambaram.
3. The District Registrar,
Chidambaram.

+1cc to M/s.G. Bala and Daisy, Advocate SR.No.66502

+1cc to Government Pleader SR.No.67043

W.P.NO.26608 of 2021

BS (CO)
GMY (12/01/2022)