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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2021

C O R A M

THE HON'BLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.NO.10110 OF 2017

Usha Rangarajan

...Petitioner

Vs

The Public Information Officer,
Special Tahsildar (L) Unit,
SIPCOT,
Sriperumbudur Expansion Scheme -2
Sriperumbudur
Kancheepuram District.

... Respondent

Prayer Writ Petition filed under Section 226 of the Constitution of India, prayed for the issuance of Writ of Certiorarified Mandamus, seeking to call for the records of the respondent leading to the impugned order in Na.Ka.5/2017/A dated 05.04.2017 and quash the same and consequently direct the respondent to furnish the information sought by the petitioner by her letter dated 02.03.2017.

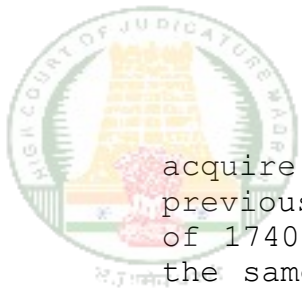
For Petitioner : Mr.R.Vishnu

For Respondent : Mr.K.M.D.Muhilan
Government Advocate

ORDER

This Writ Petition has been filed, for the issuance of Writ of Certiorarified Mandamus, to call for the records of the respondent leading to the impugned order in Na.Ka.5/2017/A dated 05.04.2017 and quash the same and consequently direct the respondent to furnish the information sought by the petitioner by her letter dated 02.03.2017.

2.The learned counsel for the petitioner would submit that the state Government vide C.O.Ms.No.128, Industries (SIPCOT-LA) dated 20.06.2012, issued notice under Section 3(1) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997, to



acquire petitioner's land comprised in Plot No.4, S.No.62/85, previous S.No.55/11, Madurai Meenkshi Nagar, measuring an extent of 1740 sq.feet in No.1 Vadagal Palnallur Village. Pursuant to the same, the petitioner was asked to produce the title deed in respect of the aforesaid land and the same was duly submitted and acknowledged. Thereafter, no information was provided by the Tahsildar and till date neither the compensation is being paid to the petitioner nor the land is acquired. Therefore, the petitioner by letter dated 02.03.2017, sought information under RTI Act and the same was rejected by the respondent herein vide order dated 05.04.2017. Aggrieved over the said rejection order, the present Writ Petition has been filed.

3. When the matter was came up for hearing on 09.11.2021, this Court passed the following order:

" The learned counsel for the petitioner submits that he sought for the certain informations under Right to Information Act, 2005, vide her letter dated 02.03.2017. However, by virtue of the impugned order dated 05.04.2017, petitioner's letter was rejected stating that in terms of Section 2(f) of the RTI Act, her request cannot be accepted.

2. This Court perused the information sought by the petitioner and Section 2(f) of the RTI Act, which defines the "information". Prima facie, it appears that the information sought by the petitioner would comes under Section 2(f) of the RTI Act. The impugned order passed by the respondent is not in accordance with the provision of 7(8) of the RTI Act, which reads as follows:

"(8) Where a request has been rejected under sub-section (1), the Central Public Information Officer or State Public Information Officer, as the case may be shall communicate to the person making the request,-

(i) the reasons for such rejection;
(ii) the period within which an appeal against such rejection may be preferred; and
(iii) the particulars of the appellate authority."

3. A perusal of the Section 7(8) of the RTI Act, would clearly shows that the respondent has to provide the reason for the rejection and particulars of the appellate authority, which has not done in the present case.



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4.The learned Standing Counsel appearing for the respondent submits that he will get instructions from the respondent as to whether the information sought by the petitioner can be provided and file a status report in this regard.

5.In view of the above, this Court directs the respondent to file a status report, which would contains the information sought by the petitioner vide her letter dated 02.03.2017, on or before 24.11.2021.

Post the matter on 24.11.2021."

4.Today, when the matter is taken up for hearing, the learned counsel for the petitioner would submit that the respondent has undertaken to pay the compensation for the land acquired from the petitioner within a period of two weeks, therefore, the prayer sought for in the present Writ Petition has become infructuous.

5.Recording the submission made by the learned counsel for the petitioner, this Writ Petition is dismissed as infructuous. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

rst

To:

The Public Information Officer,
Special Tahsildar (L) Unit,
SIPCOT,
Sriperumbudur Expansion Scheme -2
Sriperumbudur
Kancheepuram District.

+1cc to the Government Pleader, S.R.No.61477

W.P.No.10110 of 2017

KSM(CO)
RLP(17/12/2021)