



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.09.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD)No.17271 of 2021

G.Samsudeen

... Petitioners

Vs.

1.The General Information Commissioner of State of Tamil Nadu,
General Information Commission,
Teynampet, Chennai.

2.The District Collector,
Tirunelveli and District.

3.The Public Information Commissioner,
The Superintendent of Police,
Tirunelveli.

4.The Public Information Officer,
Additional Superintendent of Police,
Tirunelveli.

5.The Public Information Officer,
E2 Police Station,
Vickiramasasingapuram,
Tirunelveli District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to give right information to petitioner by considering the petitioner's representation dated 05.03.2021 within a time that may be stipulated by this Court.

For Petitioner : Ms.R.Karthika

For Respondents : Mr.P.Subbaraj,
Counsel for State.

ORDER

The petitioner seeks the right information pursuant to his representation dated 05.03.2021. The petitioner states that he is a senior citizen aged about 85 years. On 01.04.2020, it is stated that the fifth respondent along with revenue officials and three unknown persons entered his house at about 9.30 p.m. without prior notice to him. They questioned the petitioner with regard to the Tablighi Jamath Conference in New Delhi. In response thereto, the petitioner stated that neither he nor his family members participated at the said Conference and that he had never visited New Delhi in his life time.



2. According to the petitioner, the visit by the police and revenue officials to his house caused him much mental agony. Therefore, he made representations seeking information as to the persons who visited him and under what authority. In response thereto, the third respondent has provided information as to the persons who visited his house but the proceedings pertaining thereto were not disclosed. In particular, it is stated that the order authorizing such visit to the petitioner's house was not disclosed. The present Writ Petition is filed for such purpose.

3. Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of all the respondents. He submits that the information requested for by the petitioner was provided. In particular, the petitioner was informed that the District Collector had issued orders and that the Revenue Inspector and the police authorities were authorised to conduct an inquiry. Even the name of the relevant police officer was disclosed.

4. The petitioner is a senior citizen aged about 85 years. The entry of police and revenue officials into his house at about 9.30 p.m. would certainly have caused anxiety and a degree of mental agony. To that extent, the petitioner's reaction is understandable. However, the respondents have provided information that the District Collector authorised the relevant inquiry. Indeed, even the name of the police officer concerned has been indicated. Nevertheless, if any further information is available, which is not subject to protection under the Right to Information Act 2005, such information may also be provided to the petitioner.

5. Accordingly, without entering any findings on the merits of the matter, the respondents are directed to provide any further information, if avoidable, which is not exempted under the relevant provisions of the Right to Information Act 2005, to the petitioner within a period of two (2) months from the date of receipt of a copy of this order. In any case, the respondents are directed to send a reasoned communication to the petitioner in such regard within the aforesaid time limit.

6. W.P.(MD).No.17271 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

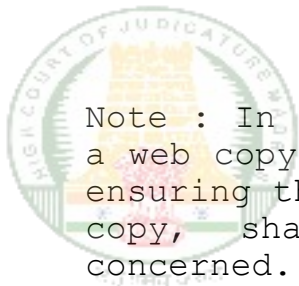
Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg/LM



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

WEB COPY

To

- 1.The General Information Commissioner of State of Tamil Nadu,
General Information Commission,
Teynampet, Chennai.
 - 2.The District Collector,
Tirunelveli and District.
 - 3.The Public Information Commissioner,
The Superintendent of Police,
Tirunelveli.
 - 4.The Public Information Officer,
Additional Superintendent of Police,
Tirunelveli.
 - 5.The Public Information Officer,
E2 Police Station,
Vickiramasingapuram,
Tirunelveli District.
- +1 CC to M/s.R.KARTHIKA, Advocate (SR-30655[F] dated 29/09/2021)
- +1 CC to M/s.SPL.GP (SR-30481[F] dated 28/09/2021)

W.P(MD)No.17271 of 2021
27.09.2021

GC(04.10.2021) 3P 8C