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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.04.2022

CORAM

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

W.P.No.30282 of 2016

P. Krishnamoorthy

... Petitioner

Vs

1. The Governor of Tamil Nadu
Raj Bhavan,
Guindy,
Chennai - 32.
2. Tamilnadu State Information Commission,
No.2, Thiyagarayar Salai,
Near Aalaiyamman Temple,
Eldams Road Junction
Teynampet, Chennai 600 018.
3. Mr. P.Thamizhselvan,
State Information Commissioner,
Tamilnadu State Information Commission,
No.2, Thiyagarayar Salai,
Near Aalaiyamman Temple,
Eldams Road Junction,
Teynampet, Chennai 600 018.
4. The Public Information Officer,
O/o. The Block Development Officer,
Kaniyambadi Panchayat Union,
Kaniyambadi, Vellore district 632 102

... Respondents

(R1 - deleted as per order dated
31.08.2016 in W.P.No.30282 of 2016)

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorarified Mandamus to call for the entire records connected with the order passed by the 3rd respondent in Order No.27769/Visaranai/C/2013 dated 26.02.2015 and quash the same and consequently, direct the first respondent to initiate appropriate action against the 3rd respondent for his removal in terms of Section 17 of the Right to Information Act, 2005, on basis of the representation dated 27.04.2015 made by the petitioner and further, direct the 3rd



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respondent to pay to the petitioner, a fair, just and reasonable amount as compensation for the untold mental agony suffered by him due to illegal act of the 3rd respondent.

For Petitioner : M/s.S.Sathia Chandran
For Respondents : Mr. Niranjana Rajagopalan,
for R1 & R2
: Mr. V. Jeevagiridharan,
AGP, for R3

O R D E R

This writ petition has been filed challenging the order passed by the first respondent in an appeal filed by the petitioner regarding non furnishing of some information sought by him.

2. Earlier, the petitioner has sought for some information before the 3rd respondent with regard to lay out plan approval granted in respect of Survey Nos.136, 137, 156, 157, 164, 165, 166 in the name and style of Sri Durga Nagar in Keezarasampattu Village, Vellore and also other related documents. Since, the required documents were not furnished, the petitioner has filed an appeal before the first respondent and the first respondent has closed the appeal on the ground that all the information sought by the petitioner has already been furnished to him and during enquiry, the petitioner has also appeared and submitted that he has received all the documents. Challenging the same, the present writ petition has been filed stating that the documents required by the petitioner has not been furnished to him. However, the appellate authority wrongly recorded that the documents have been served on the petitioner.

3. Today, when the matter is taken up for hearing, the learned counsel appearing for the 3rd respondent submitted that the petitioner has sought for information regarding the lay out approval granted to Survey Nos.136, 137, 157, 164, 165, 166 in Sri Durga Nagar, at Keezarasampattu Village. However, as on today, no lay out approval has been granted to the above said survey numbers. He has also produced the revenue records showing that the lands are still agricultural lands and no lay out approval has been granted.

4. Considering the fact that as on today, no lay out approval has been granted to the above said survey numbers no further information can be granted to the petitioner. In the said circumstances, this Court finds no merit in the writ



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petition and the same is liable to be dismissed.

5. Accordingly, this writ petition is dismissed. No costs.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

mrp

1. Tamilnadu State Information Commission,
No.2, Thiyagarayar Salai,
Near Aalaiyamman Temple,
Eldams Road Junction
Teynampet, Chennai 600 018.

2. The Public Information Officer,
O/o. The Block Development Officer,
Kaniyambadi Panchayat Union,
Kaniyambadi, Vellore district 632 102.

+1cc to M/s.S.Sathia Chandran, Advocate, S.R.No.23518

+1cc to M/s.G.R.Associates, Advocate, S.R.No.23600 [09/06/2022]

+1cc to the Government Pleader, S.R.No.23840 [09/06/2022]

W.P.No.30282 of 2016

JP-II[co]
NSK/27/05/2022