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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2022

CORAM

THE HONOURABLE MR.JUSTICE M. GOVINDARAJ

W.P. No.33140 of 2014

and

M.P.No.1 of 2014

Central Public Information Officer,
Indian Bank, Corporate Office,
Customer Service Cell,
(RTI Desk), 254-260 Avvai Shanmugam Salai,
Royapettah,
Chennai - 600 014.

...Petitioner

Vs.

1. Information Commissioner,
Central Information Commission,
'C' Wing, August Kranti Bhavan,
Bhikaji Cama Place,
New Delhi 110066
2. H.N. Wadhwa,
102 Surya Tower,
Paschim Vihar Commercial Complex,
New Delhi 110063.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Certiorari, calling for the records pertaining to the order passed by the first respondent in file No.CIC/MP/A/2014/000027/SH dated 21.11.2014 and quash the same.

For Petitioner : Mr. Kalyanaraman
for M/s. Aiyar and Dolia

For Respondents : No appearance



ORDER

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The second respondent sought for information under the Right to Information Act, 2005, by filing an application dated 12.07.2013, for T.A. and D.A./LTC bills claimed by the Managing Director of the Bank, with the copies of the same and supportive vouchers, for the period between 01.04.2012 till the date of RTI application.

2. The petitioner bank claimed exemption under Section 81 (1) (d) of the RTI Act and rejected the request of the second respondent, against which, the second respondent preferred an appeal before the first respondent. The first respondent observed that the claim made by the petitioner would disproportionately divert the resources of the public authority from its day to day work, however, issued a direction to provide information within the limited period.

3. This court admitted the writ petition, challenging the order of the first respondent/Central Information Commission dated 21.11.2014. After admission, when the matter was taken up for hearing on 25.01.2022, none appeared for the respondents. This court again directed the learned counsel for the petitioner to serve private notice on the second respondent. Despite serving notice on the respondents, and printing their name in the cause list, even today, none appeared for the respondents.

4. The learned counsel appearing for the petitioner would submit that the Chairman and Managing Director of the Bank who availed the TA & DA during the relevant period i.e., 2013 had retired and gone. The second respondent, despite serving of notice has not entered appearance and this shows that the second respondent is not interested any further in pursuing this application.

5. It is also noted that the information sought for is regarding T.A. and D.A./LTC bills for the period between 01.04.2012 and 12.07.2013 i.e. for a period of one year and four months. At this distance of time, the information sought would disproportionately divert the resources of the public authority



from its day to day work. Therefore, the order passed by the first respondent dated 21.11.2014 is set aside as having become infructuous. The Writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

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SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

mrn
To

The Information Commissioner,
Central Information Commission,
'C' Wing, August Kranti Bhavan,
Bhikaji Cama Place,
New Delhi 110066.

+lcc to M/s.Aiyar & Dolia, Advocate Sr.24861

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