



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2022

CORAM

THE HON'BLE MR. JUSTICE M.S.RAMESH

W.P.No.3517 of 2014
and M.P.No.1 of 2014

S.Kalidasan

.. Petitioner

Vs.

1.The Tamil Nadu State Information Commission
rep. by its Commissioner,
No.2, Thiyagaraya Road, Teynampet,
Chennai - 18.

2.The District Employment Officer,
Office of the District Employment Office,
Thiruvannamalai, Thiruvannamalai District.

.. Respondents

Writ Petition filed under Article 226 of The Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records relating to the order of the first respondent dated 21.10.2013 in Case No.43444/Enquiry/E/2012 and the order of the second respondent dated 13.08.2012 in A4/4953/2012 and quash the same and consequently direct the second respondent to forthwith sponsor the name of the petitioner for any post suitable to the qualification and age of the petitioner.

For Petitioner :Mr.K.Selvaraj

For Respondents :Mr.P.Ganesan,
Govt. Advocate

ORDER

Challenging the order of the first respondent dated 21.10.2013, pursuant to the reply of the second respondent dated 13.08.2012 and for a consequential direction to the second respondent to forthwith sponsor the name of the petitioner for any post suitable to the qualification and age of the petitioner,



the present writ petition has been filed.

2. The petitioner's application filed under Right to Information Act on 07.08.2012 was replied by the second respondent on 13.08.2012. To the question, as to how many persons have been given employment under the Land Acquisition Priority, the second respondent has answered that no such records are maintained in the office.

3. Learned counsel for the petitioner would submit that though the petitioner intended to seek for information with regard to the date till which such applications have been considered, he had improperly framed the question. When the question has not been properly worded, the reply given by the second respondent cannot be found fault with. This reply has also been confirmed by the first respondent in the appeal on 21.10.2013.

4. However, this Court is of the view that if the petitioner is granted liberty to make a fresh application with a consequential direction to the second respondent to consider the same, ends of justice would be secured.

5. Accordingly, the writ petition stands closed, with liberty to the petitioner to make a fresh application to the second respondent under the provisions of Right to Information Act. On receipt of such application, the second respondent shall consider the same on its own merits and in accordance with the provisions of the Right to Information Act. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CCC)

// True Copy //

Sub Assistant Registrar

mmi

To

1.The Commissioner,
Tamil Nadu State Information Commission,
No.2, Thiyagaraya Road, Teynampet,
Chennai - 18.



2.The District Employment Officer,
Office of the District Employment Office,
Thiruvannamalai, Thiruvannamalai District.

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+lcc to Mr.K.Selvaraj, Advocate SR.No.26013
+lcc to the Government Pleader, SR.No.26169

W.P.No.3517 of 2014

PM(CO)
CB(29/04/2022)