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W.P.No.28484 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.28484 of 2022

M/s.Chandragiri Construction Company
Rep.by its Partner K.M.Moideen Kunhi
No.3/402A, Karat Road, West Nadakavu
Kozhikodi – 673 001, Kerala State
Now staying at Rani Meyyammai Towers
Block-3, 2-H, MRC Nagar, Chennai 600 028.

.... Petitioner

-Vs-

1. Tamil Nadu Information Commission
Rep. by its State Information Commissioner
Block No. 19 Government Farm Village
Saidapet Chennai 15
- 2 The Chief Engineer
Public Works Department Chennai Region
Water Resources Department Chepauk
Chennai 05
- 3 The Superintending Engineer
Public Works Department Water resources
Department Project circle Vellore 632 006
(now upper palar circle)
- 4 The Executive Engineer
(appellate authority under RTI Act) Special
Project division P.W.D. Water Resources
Department Project Division Sethuvandai
Gudiyatham R.S. Vellotr District-635 803.



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5 The Public information Officer (Under RTI Act)
O/o. The Executive Engineer)
Special Project division P.W.D.
Water Resources Department Project
Division Sethuvandai Gudiyattam R.S.
Vellore District – 635 803.

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 2 to 5 herein to furnish the information sought for vide Application dated 18.12.2021 to the petitioner within the time fixed by this hon'ble court.

For Petitioner : Mr.K.Premkumar

For Respondents : Mr.C.Vigneswaran
Standing Counsel – for R1
Mr.P.Sanjay Gandhi
Government Advocate – for RR 2 to 5

ORDER

The prayer sought for herein is for a Writ of Mandamus directing the respondents 2 to 5 herein to furnish the information sought for vide Application dated 18.12.2021 to the petitioner within the time fixed by this Court.

2. Heard Mr.K.Prem Kumar, learned counsel for the petitioner, Mr.C.Vigneswaran, learned Standing Counsel appearing for the first respondent and Mr.P.Sanjay Gandhi learned Government Advocate appearing for the respondents 2 to 5.



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3. Learned Government Advocate submits that though the prayer sought for is against respondents 2 to 5, the fifth respondent is the Public Information Officer of the respondents ie., Executive Engineer's office. Therefore, whatever information sought for under the RTI Act by application dated 18.12.2021 would be considered and such information would be revealed provided if such information is available with the office of the respondents, within the time frame that may be stipulated by this Court.

4. In view of the aforesaid stand taken by the learned Government Advocate, this Court is inclined to dispose of this writ petition with the following order.

“ That there shall be a direction to the 5th respondent to provide the information sought for by the petitioner by his application dated 18.12.2021 under the RTI Act if that information is available with the office of the 5th respondent or any other respondents, for whom the 5th respondent is the Public Information Officer, within a period of 30 days from the date of receipt of a copy of this order.”



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5. With the above directions, this writ petition is disposed of. No costs.

28.10.2022

Index : Yes/No

Internet : Yes/No

KST

Note : Issue order copy on 01.11.2022

To

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R. SURESH KUMAR, J.

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