



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.01.2022

CORAM

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THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD).No.13541 of 2009

A.Kanagaraj

...Petitioner

Vs.

1.The Principal Commissioner and
Commissioner of Land Administration,
Chepauk, Chennai.

2.The State Information Commissioner,
O/o The State Information Commissioner,
Kamadenu Super Market First Floor,
No.378, Anna Salai,
Teynampet, Chennai.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings in case No.8826/R4/2009, dated 08.08.2009, on the file of the second respondent and quash the same as illegal and further directing the respondents to furnish the information sought for by the petitioners by application, dated 31.01.2009, under Section 6(1)(a) of Right to Information Act.

For Petitioner : Mr.M.P.Senthil

For R1 : Mr.D.Ghandiraj
Special Government Pleader

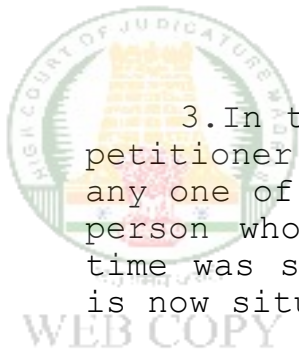
For R2 : Mr.K.K.Senthil
Standing Counsel

ORDER

The entire information sought by the petitioner appears to be a fishing enquiry, seeking records from the year 1802 to 1895 with respect to the settlement land Register.

2.It is not known as to why the petitioner is interested or for what reasons the petitioner seeks those information.

<https://hcservices.ecourts.gov.in/hcservices/>



3.In the first place, he should establish his credentials. The petitioner is not directly interested in the subject matter or in any one of the registers. He is only a power of attorney agent of a person whom he calls as P.K.Ramavarma Raja, who at some point of time was said to be a Jamindhar of Poonjar. The said land Poonjar is now situated in Kerala.

4.In the first place, the Jamindhar system itself had been abolished. The principal cannot call himself either as a Jamindhar or as a Raja. We have moved very far away from such nomenclatures or prefixes or even suffixes. Every individual remains as a citizen of the country. It is claimed that he had given a power of attorney to the petitioner to collect the details of the estates which belonged to the said Raja. Again the nomenclature has to be rejected. The petitioner has to first establish as to why those Registers are required.

5.Moreover, the Principal should first establish as to why he cannot come to Court. If he wants some relief, he must come to Court. He cannot appoint a power of attorney agent to do some fishing and roving enquiry. It implies that there is an indirect agreement between the said individual and the petitioner/power agent which is champathy in nature, namely, if any information is received, depending on the nature of information received, the agent will make a profit.

6.The Writ Court cannot encourage all these nefarious practices.

7.The second respondent had rejected furnishing information, stating that voluminous details are sought and it is not possible to grant the same.

8.I agree with the contentions. Records from the year 1805 to 1895 will simply not be available and even if they are available, the petitioner will only suspect the correctness of the information. Let him rest at peace. Let him be peace with himself. Let the present petitioner/agent not disturb the peace of Principal.

9.With the above observation, this Writ Petition stands dismissed. No costs.

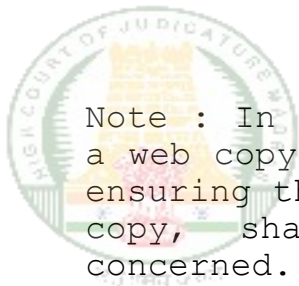
Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



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.

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To
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O/o The State Information Commissioner,
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No.378, Anna Salai,
Teynampet, Chennai.

+1 CC to M/s.K.K.SENTHIL, Advocate (SR-2744[F] dated 28/01/2022)

+1 CC to M/s.M.P.SENTHIL, Advocate (SR-3071[F] dated 31/01/2022)

W.P (MD) .No.13541 of 2009
27.01.2022

RK(10/02/2022) 3P 5C