



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.06.2022**

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P. (MD) .No.2245 of 2012

and

M.P (MD) Nos.2 and 4 of 2012

Vetrivel

... Petitioner

Vs.

- 1.The District Elementary Educational Officer,
Office of District Elementary Educational Officer,
Pudukkottai.
 - 2.The Additional Assistant Elementary educational Officer,
Aranthangi,
Pudukkottai District.
 - 3.R.Nagendran
 - 4.The State Information Commissioner,
The State Information Commission,
No.2, Thiyagarayar Road, Teynampet,
Chennai-600 018.
- ... Respondents

(R4 is impleaded vide Court order dated, 09.06.2022
in M.P(MD)No.3 of 2012 in WP(MD)No.2245 of 2012)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records relating to the impugned order passed by the first respondent in Na.Ka.No.736/Aa4/2012 dated 16.02.2012 and quash the same as arbitrary, illegal.

For Petitioner : Mr.K.Baala Sundharam
For Respondents : Mr.V.Nirmal Kumar
Government Advocate
for R1 and R2
Mr.N.Bala Krishnan
for R3
Mr.K.K.Senthil for R4
Standing Counsel



ORDER

The present writ petition has been filed challenging an order passed by the District Elementary Educational Officer, under which the Additional Assistant Elementary Educational officer was directed to produce the community certificate of the writ petitioner under the Right to Information Act. The third respondent has sought for information relating to the community certificate of the writ petitioner. Since his request was not acceded to, he approached the Tamil Nadu Information Commission. The Information Commission in its order, dated 08.02.2012 has directed the first respondent herein to consider the petition as an appeal under the Right to Information Act and pass suitable orders. However, the said direction of the State Information Commission was construed to be a positive direction by the first respondent herein and he has consequently passed the impugned order on 16.02.2012 directing the second respondent to furnish the community status of the writ petitioner. Challenging the same, the present writ petition has been filed.

2. The learned counsel for the third respondent submitted that his client is no longer interested in getting information relating to the community of the writ petitioner. The learned counsel for the third respondent has also filed a memo to the said effect.

3. When the third respondent himself has shown disinterest in getting an information, this Court has no hesitation to quash the order passed by the first respondent herein on 16.02.2012. The impugned order is quashed. Hence, the Writ Petition is allowed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CO)

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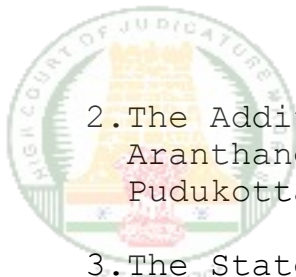
/07/2022

Sub Assistant Registrar (CS)

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To

1.The District Elementary Educational Officer,
Pudukottai.



2.The Additional Assistant Elementary educational Officer,
Aranthangi,
Pudukottai District.

3.The State Information Commissioner,
The State Information Commission,
No.2, Thiyagarayar Road, Teynampet,
Chennai-600 018.

+1 CC to M/s.K.K. SENTHIL, Advocate (SR-27041[F] dated 21/06/2022)

+1 CC to M/s.K. BAALASUNDHARAM, Advocate (SR-27262[F]
dated 21/06/2022)

Order made in
W.P. (MD) .No.2245 of 2012
20.06.2022

SRK(CO)
GC(01.07.2022) 3P 6C