



W.P(MD)No.16787 of 2013

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.10.2022

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.16787 of 2013

and

M.P(MD)No.1 of 2013

S.Mohan

... Petitioner

Vs.

1.The Tamil Nadu Information Commission,
Represented by its Registrar,
No.2, Thiyagarajar Salai,
(Alaiammankoil Street),
Teynampettai,
Chennai-600 018.

2.So.P.Venkatraman

... Respondents

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 bearing tof;F vz;. 11116/tprrhuiz/C/2013 dated 18.09.2013 passed by the first respondent.

For Petitioner

: Mr.Anwar Sameem
for Mr.T.Antony Arul Raj

For R1

: Mr.K.K.Senthil



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For R2

: Mr.M.Saravanan

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ORDER

The present writ petition has been filed challenging a show cause notice issued by the first respondent herein calling for an explanation from the writ petitioner why action should not be initiated against him under Section 20 (1) of Right to Information Act, 2005.

2. According to the petitioner, he is the Principal of an aided Arts College. The Principals of aided Arts Colleges were appointed as Public Information Officers. The said letter of the Director of Collegiate education dated, 08.11.2005 was challenged in W.P(MD)Nos.8373 and 14838 of 2012. This Court was pleased to allow the said writ petitions on 16.12.2014, holding that Principals of aided Arts Colleges cannot be appointed as Public Information Officers of the said college.

3. The very appointment of the writ petitioner as Public Information Officer of the private aided college, has been quashed by this Court. Hence, the show cause notice issued by the first respondent



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on 18.09.2013 to the writ petitioner in his capacity as Principal/Public Information Officer of the private aided college is without jurisdiction.

4. Hence, this Writ Petition stands allowed. However, the first respondent is at liberty to issue fresh summons to the present Public Information Officer of the Sri La Sri Kasi Vasi Swaminatha Swamigal Arts College, Thirupananthal, Thanjavur District. No costs. Consequently, connected Miscellaneous Petition is closed.

17.10.2022

Index : Yes / No
Internet : Yes / No
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R.VIJAYAKUMAR ,J.

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Order made in
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