

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.09.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.8860 of 2013

and

M.P(MD).No.1 of 2013

S.Sankaranarayanan

... Petitioner

Vs.

1.Tamil Nadu Information Commission,
rep. by is Registrar,
No.2, Sir Thiyagarajar Salai,
Teynampettai, Chennai 600 018.

2.S.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 vide வழக்கு எண். 7728/விசாரணை/சி/2013 dated 15.04.2013 passed by the first respondent and quash the same.

For Petitioner : Mr.S.Anwarsameem
For Respondents : Mr.K.K.Senthil (for R1)
Mr.S.Saravanan(for R2)

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 the Right to Information Act, 2005.

2.According to the petitioner, though the petitioner had received the summon from the first respondent herein, on 04.04.2013 directing him to appear on 15.04.2013, the petitioner could not appear before the first respondent on that date of hearing. Hence, the present impugned show cause notice has been issued to the writ petitioner in his capacity as a Public Information Officer of the college in which, he was functioning as the Principal.

3.After filing of the writ petition, the petitioner has challenged his very appointment as Public Information Officer of the said college, before this Court, in W.P.(MD).Nos.8373 and 14838 of 2012 . This Court, by its orders dated 16.12.2014, had passed an order to the effect that the very appointment of the writ petitioner by the second respondent

herein as the Public Information Officer of the said college, is not legally valid. The said order has not been challenged by any one of the parties. That apart, the writ petitioner had retired from service.

4.In view of the above said facts, the show cause notice impugned in the writ petition is quashed. However, the first respondent is at liberty to issue fresh summons to the present Public Information Officer of Sri Kumaragurupara Swamigal Arts College, Srivaigundam.

5.With the above directions, this Writ Petition stands allowed. No costs. Consequently, the connected Miscellaneous Petition is closed.

09.09.2022

Index : Yes / No
Internet : Yes / No
vsg

R.VIJAYAKUMAR,J.

vsg

Order made in
W.P(MD)No.8860 of 2013
and
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