



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.06.2022

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WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) No.11928 of 2022

M.Paramasakthi @ Rooba

... Petitioner

Vs.

1.The Tamil Nadu State Chief Information Commissioner,
Tamil Nadu Information Commission,
Block No.19, Government Farm Village,
Panepet, Nandanam,
Chennai - 600 035.

2.The Commissioner,
Tamil Nadu Information Commission,
No.2, Sir Thegaraya Road,
Near Aalai Amman Koil, Teynampet,
Chennai - 600 018.

3.The Appellate Authority/
Superintendent of Police,
Special Branch C.I.D.,
Mylapore, Chennai - 4.

4.The Public Information Officer/
Additional Superintendent of Police (Management),
Special Branch C.I.D.,
Mylapore, Chennai - 4.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 2nd respondent to consider the petitioner's appeal dated 09.10.2021 to furnish information as she sought for in the representation dated 14.08.2021.

For Petitioner : Mr.T.Lenin Kumar

For Respondents : Mr.B.Saravanan for R1 & R2.

Mr.K.Balasubramani,
Spl. Government Pleader for R3 & R4.



ORDER

Heard the learned counsel for the writ petitioner, the learned standing counsel for the respondents 1 and 2 and the learned Special Government Pleader for the respondents 3 and 4.

2.The petitioner had submitted an application on 14.08.2021 seeking information regarding a police personnel. The said request was rejected. Questioning the same, the petitioner filed an appeal before the appellate authority and that was also rejected. Challenging the same, the petitioner filed second appeal before the Commission. The petitioner wants this Court to direct the second respondent to consider the petitioner's appeal.

3.The learned standing counsel for the Information Commission informs the Court that hundreds of appeals are pending before the Commission and they have to be necessarily taken in the order of seniority and therefore, the petitioner cannot be allowed to jump the queue. I find substance in the said objection. That apart, the petitioner seeks the community background and other personal details regarding the police personnel in question. Such reliefs infringe upon the privacy of an individual. Such information obviously cannot be granted. I am not inclined to exercise the discretionary jurisdiction vested in the Writ Court. The writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

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To:

1.The Tamil Nadu State Chief Information Commissioner,
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Panepet, Nandanam,
Chennai - 600 035.

2.The Commissioner,
Tamil Nadu Information Commission,
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+1 CC to M/s.SPL.GP (SR-26557[F] dated 17/06/2022)

+1 CC to M/s.B. SARAIVANAN, Advocate (SR-26674[F] dated 20/06/2022)

W.P (MD) No.11928 of 2022
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SS(27/06/2022) 3P 7C