

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved on	29.08.2022
Pronounced on	11.10.2022

CORAM

THE HON'BLE Mr.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.14824 OF 2022

M.Udhaya Singh

... Petitioner

-Vs.-

The Public Information Officer,
Office of the Collectorate,
Madurai.

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Mandamus to direct the respondent to provide
the information to the petitioner's application dated 07.06.2022.

For Petitioner :Mr.K.Mani

For Respondent :Mr.M.Sarangan,
Additional Government Pleader

ORDER

Heard the learned counsel on either side.

2. The writ petitioner claims to be a Journalist working for a daily known as "Dina Anjal". He has submitted an application before the respondent on 07.06.2022 under the Right to Information Act, 2005. The petitioner has raised as many as seven queries in his application. The subject matter pertains to the allotment of the house site pattas, in favour of the Journalists under G.O.Ms.No.79 dated 28.02.2019. The petitioner has also filed W.P.No.13761 of 2022 seeking allotment of one house site for himself and he has also sought appointment of a Commission to ensure that allotments are made as per the norms prescribed by the Government. He wants this Court to direct the respondent to furnish the information as sought for by him.

3. I am not inclined to grant the relief sought for in the writ petition. The Statute provides for an appellate remedy. If the information sought for by the petitioner is not furnished. If the petitioner has grievance regarding the order passed by the Appellate Authority, a second appeal will lie before the Information Commission. When the Statute provides

such effective alternative remedies, the question of this Court interfering at the very threshold does not arise.

4. Even according to the writ petitioner, the application was filed only on 07.06.2022. The writ petition was filed on 04.07.2022. The writ petitioner has himself stated that a day after he filed W.P.(MD)No.13761 of 2022, on 23.06.2022, he received response. The petitioner has not questioned the reply dated 28.06.2022. This writ petition is not in the nature of writ of Certiorari, it is in the nature of writ of Mandamus only. The petitioner has to necessarily file an appeal against reply dated 28.06.2022 before the appellate Authority. No reason has been set out for bypassing the Statutory scheme.

5. Leaving open the rights and remedies of the writ petitioner, this writ petition stands dismissed. No costs.

11. 10.2022

Index: Yes/No
Internet : Yes/No
nsa

G.R.SWAMINATHAN.J.,

nsa

To

The Public Information Officer,
Office of the Collectorate,
Madurai.

Pre-delivery order made in
W.P.(MD)No.14824 OF 2022

11.10.2022