



W.P(MD)No.7422 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.10.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.7422 of 2015

I.Narayana Devendrер

... Petitioner

Vs.

- 1.The State Information Commissioner,
Tamil Nadu State Information Commission,
No.2, Thiagarayan Salai,
Eldams Road Junction,
Teynampet,
Chennai-18.
- 2.The Assistant Registrar,
Tamil Nadu Information Commission,
No.2, Thiagarayan Salai,
Eldams Road Junction,
Teynampet,
Chennai-18.
- 3.The Principal Secretary to the Government,
Health and Family Welfare Department,
Secretariat,
Fort St. George,
Chennai.



W.P(MD)No.7422 of 2015

4.The Public Information Officer,
Health and Family Welfare Department,
Secretariat,
Fort St. George,
Chennai.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the first respondent in Case No.35519/E/2014, dated 17.02.2015, confirming the rejection of first appeal by the Appellate Officer, dated 30.06.2014 and quash the same and consequently direct the respondents herein to furnish the information sought for by the petitioner vide his application, dated 05.04.2014.

For Petitioner : M/s.B.Jameel Arasu

For R-1 & R-2 : M/s.K.K.Senthil

For R-3 & R-4 : M/s.A.Baskaran

Additional Government Pleader

ORDER

The present Writ Petition has been filed challenging an order passed by the first respondent herein, under which, the request of the petitioner for furnishing information has been rejected, on the ground that it is voluminous in nature and the petitioner is noway connected with the said information.



W.P(MD)No.7422 of 2015

2. The petitioner has sought for information relating to the name, address, education qualification, post graduate qualification, date of joining of Doctors in the Government Hospital between 2009 and 01.01.2014. Though it may not be necessary to furnish reasons for seeking the said information, it could be seen that the petitioner is noway connected with the said information.

3. The information that has been sought for is voluminous in nature and it does not fall within the definition of "information" as contemplated under Section 2(f) of the Right to Information Act, 2005.

4. The object of the Right to Information Act is to secure, access to information under the control of the public authorities only in order to promote transparency and accountability in working of every public authority. Unless the authorities under the RTI Act find that the information sought for would amount to promoting transparency or accountability in working of every public authority, all sundry information that has been sought for by the citizens need not be furnished to the information seeker.



W.P(MD)No.7422 of 2015

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5. In view of the above said facts, the authorities under the Right to Information Act have rejected the request of the writ petitioner for the above said information. The learned Counsel appearing for the first respondent has brought to the notice of the judgment of the Hon'ble Supreme Court reported in **2011 (8) SCC page 497 (Central Board of Secondary Education and another Vs. Aditya Bandopadhyay and others)** in paragraph No.67 has held as follows:

"67. Indiscriminate and impractical demands or directions under the RTI Act for disclosure of all and sundry information (unrelated to transparency and accountability in the functioning of public authorities and eradication of corruption) would be counterproductive as it will adversely affect the efficiency of the administration and result in the executive getting bogged down with the non-productive work of collecting and furnishing information. The Act should not be allowed to be misused or abused, to become a tool to obstruct the national development and integration, or to destroy the peace, tranquility and harmony among its citizens. Nor should it be converted into a tool of oppression or intimidation of



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W.P(MD)No.7422 of 2015

honest officials striving to do their duty. The nation does not want a scenario where 75% of the staff of public authorities spends 75% of their time in collecting and furnishing information to applicants instead of discharging their regular duties. The threat of penalties under the RTI Act and the pressure of the authorities under the RTI Act should not lead to employees of a public authorities prioritising "information furnishing", at the cost of their normal and regular duties."

6. In view of the above said judgment of the Hon'ble Supreme Court, the Act should not be allowed to be misused or abused to become a tool to obstruct the national development and integration of destroying peace, tranquility and harmony among the citizens. The indiscriminate and impractical demands which would be counterproductive as it will adversely affect the efficiency of the administration should not be permitted under the RTI Act.



W.P(MD)No.7422 of 2015

7. In view of the factual situation and the judgment of the Hon'ble Supreme Court, I do not find any illegality or infirmity in the order passed by the authorities under the RTI Act. The writ petition stands dismissed. There shall be no order as to costs.

26.10.2022

Index : Yes / No
Internet : Yes / No
btr

To

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W.P(MD)No.7422 of 2015

R.VIJAYAKUMAR, J.

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Order made in
W.P(MD)No.7422 of 2015

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