



WEB COPY



W.P.No.3759 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **09.02.2023**

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.No.3759 of 2023

Dr.T.Sundaravadivelan

... Petitioner

versus

1.The Additional Principal Secretary
Department of Fisheries and Fisher Welfare
Government of Tamil Nadu
Secretariat Chenani-600 009.

2.The Commissioner and Managing Director
Department of Fisheries and Fisher Welfare
Integrated Animal Husbandry and Fisheries Building
Nandanam, Chenani-600 035.

3.Chief Engineer
Fishing Harbour Project
Department of Fisheries and Fisher Welfare
Integrated Animal Husbandry and Fisheries Building
Nandanam, Chenani-600 035.

4.The Department of Fisheries and Fisher Welfare
Fishing Harbour Project Division
Nagapattinam.

5.Krishnamurthy

6.Senthil@Senthil Kumar

... Respondents



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Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus to direct the 1st to 4th respondents to consider the petitioner's representation dated 30.11.2022.

For the Petitioner : Mr.N.Suriya Muthu
For the Respondents : Mr.M.Muthusamy,
Government Advocate,
for respondents 1 to 4

ORDER

The Petitioner, had sought information under the RTI Act. The original authority had rejected that particular application. The petitioner then filed an appeal as is provided under the Act. The first appellant authority had stated that there are various departments from which information will have to be gathered and after that process is over, further steps would be taken.

2. The first appeal is not yet disposed of. In the meanwhile the petitioner apprehends that the facts that he sought had been further divulged to other third parties. The petitioner states that there were several phone calls which had come to him and he had also been attached by various third persons. If that be case, then the petitioner should, if that allegation is, are true and correct, take appropriate action in manner known to law. There are authorities to take such a complaint on record.



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3. On the other hand, the petitioner has given a representation stating that action should be taken consequent to information being divulged about the fact that he had filed an RTI application. This is based on presumptions. It can be established and found only during the course of proper investigation and trial and that could commence only when necessary complaint had been given by the petitioner herein in accordance with law. There cannot be a direction to take further action on the basis of the representation herein. The only direction that can be given is to the third respondent to proceed further in accordance with his communication dated 21.12.2022 in K.N.VP.Ko.No. 130/2022.

3. No further directions can be given. It is for the petitioner to work out his remedies.

4. The writ petition stands disposed of. No costs.

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Index: Yes/no
mrn

To

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C.V.KARTHIKEYAN, J.
(mrn)

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