



WEB COPY



W.P. No. 11679 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 07.12.2023**

**CORAM**

**THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU**

**W.P. No. 11679 of 2023**

C.R.Arulprakasam

... Petitioner

-VS-

1. The Tamil Nadu State Information Commission,  
Block No. 19, Government Farm Village,  
Panepet, Nandanam,  
Chennai – 600035.
2. The Superintending Engineer/Appellate Authority (RTI),  
Office of the Superintending Engineer,  
National Highways,  
Kurangu Chavadi, Omalur Main Road,  
Salem – 636004.
3. The Deputy Superintending Engineer/  
Public Information Officer (RTI),  
Office of the Superintending Engineer,  
National Highways,  
Kurangu Chavadi, Omalur Main Road,  
Salem – 636004.

4. R.Subramaniam

... Respondents

**Prayer:-** Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus, calling for the records of the First Respondent vide order dated 23.08.2022 in Case



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No. SA/16144/F/2021 and quash the same and consequently direct the Respondents to furnish the information sought by the Petitioner by his RTI Application dated 12.08.2021 under Section 6 of the Right to Information Act.

For Petitioner : Mr. C.T.Murugappan

For Respondents : Mr. C.Vigneswaran (for R1)

Mr. U.Baranidhran,  
Additional Government Pleader  
(for R2 & R3)

Mr. A.Sivaji (for R4)

## ORDER

Heard Mr. C.T.Murugappan, Learned Counsel for the Petitioner, Mr. U.Baranidhran, Learned Additional Government Pleader, who takes notice for the Second and Third Respondents, and Mr. A.Sivaji, Learned Counsel, who takes notice for the Fourth Respondent, and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner has sought for certain information under the Right to Information Act, 2005 (hereinafter referred to as 'the RTI' Act for short) from the Public Information Officer, Highways Department by application dated 12.08.2021 and in respect of four queries raised, two had been answered



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and remaining two queries had been related to a third party, viz., the Fourth Respondent, which could not be divulged. In the meanwhile, the Fourth Respondent had filed the Writ Petition in W.P. No. 15457 of 2022 before this Court seeking a direction to the Second and Third Respondents not to furnish the details relating to the tender contracts awarded to him by the Highways Department and this Court in the order dated 21.07.2022 recorded the submissions that the personal information relating to him would not be divulged in terms of Section 11 of the RTI Act and disposed it. In the second appeal preferred by the Petitioner under Section 19(3) of the RTI Act, the rejection of the information in respect of said two queries have been confirmed by the First Respondent following the aforesaid order passed by this Court. It would assume significance to point out here that the Petitioner, who is fully aware of the order dated 21.07.2022 in W.P. No. 15457 of 2022 passed by this Court, which binds the parties, has not taken any measures to get it set aside in the manner recognized by law.

3. In that view of the matter, there does not appear to be any infirmity in the decision making process of the First Respondent warranting interference by this Court in the exercise of discretionary powers of judicial review under Article 226 of the Constitution.



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WEB COPY In the result, the Writ Petition is dismissed. No costs.

07.12.2023

Index : Yes/No

NCC : Yes/No

**Note: Issue order copy by 31.05.2024.**

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To

1. The Tamil Nadu State Information Commission,  
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Panepet, Nandanam,  
Chennai – 600035.
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**P.D. AUDIKESAVALU, J.**

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