



W.P.No.18405 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.18405 of 2023

M.Muthukumar

... Petitioner

Vs.

1.The Registrar,
Block No.19, Government Farm Village,
Fanpet, Nandanam,
Chennai – 600 035.

2.The Appellate Authority,
Office of the Superintendent of Police,
Tirupur,
Tirupur District.

3.The Public Information Officer,
Office of the Additional Superintendent of Police,
Tirupur,
Tirupur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the third respondent to furnish information based on RTI Application dated 07.10.2022 as directed by the first respondent in its order in S.A.No.21439/SCIC/2022 dated 01.02.2023.



WEB COPY



W.P.No.18405 of 2023

For Petitioner : Mr.S.Indrajith

For Respondents : Mr.E.Veda Bagath Singh
Special Government Pleader

ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the third respondent to furnish information based on RTI Application dated 07.10.2022 as directed by the first respondent in its order in S.A.No.21439/SCIC/2022 dated 01.02.2023.

2. Mr.E.Veda Bagath Singh, learned Special Government Pleader takes notice for the respondents. In view of the consent expressed by the learned counsel appearing on either side, this petition is taken up for final disposal.

3. The case of the petitioner is that, he made an application before the third respondent under the Right to Information Act (in short 'the Act'), however, the third respondent has not furnished the information, thereby, the petitioner filed first appeal before the second respondent and the same was not considered by the second respondent. Therefore, the petitioner filed



W.P.No.18405 of 2023

second appeal before the first respondent and the first respondent passed an order in S.A.No.21430/SCIC/2022 dated 01.02.2023 directing the third respondent to furnish information and submit a report to the petitioner. However, the said order has not been implemented so far. Hence, the petitioner filed the above writ petition before this Court for appropriate directions.

4. Though very many grounds have been raised in this writ petition, the learned counsel for the petitioner submits that, it would suffice, if this Court, issues a direction to the third respondent to furnish the information based on his RTI application dated 07.10.2022 as directed by the first respondent in its order in S.A.No.21439/SCIC/2022 dated 01.02.2023, within a time frame that may be stipulated by this Court.

5. The learned Special Government Pleader appearing for the respondents submits that, if the order of the first respondent is not implemented by the Public Information Officer-third respondent herein, remedy available to the petitioner is to file an application before the first respondent under Section 20(1) of the Act. Hence, he submitted that,



W.P.No.18405 of 2023

instead of filing an application before the first respondent under Section 20(1) of the Act, filing the present writ petition is not sustainable.

Accordingly, he prays for dismissal of the writ petition.

6. In view of the above submission, the writ petition is dismissed granting liberty to the petitioner to file an application before the first respondent under Section 20(1) of the Right to Information Act for implementation of the order of the first respondent, dated 01.02.2023. No costs.

23.06.2023

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation Case : Yes / No

sp



W.P.No.18405 of 2023

WEB COPY

To

- 1.The Registrar,
Block No.19, Government Farm Village,
Fanpet, Nandanam,
Chennai – 600 035.
- 2.The Appellate Authority,
Office of the Superintendent of Police,
Tirupur,
Tirupur District.
- 3.The Public Information Officer,
Office of the Additional Superintendent of Police,
Tirupur,
Tirupur District.



WEB COPY



W.P.No.18405 of 2023

M.DHANDAPANI, J.

sp

W.P.No.18405 of 2023

23.06.2023