



**W.P(MD)No.11433 of 2015**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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DATED : 29.08.2023

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.11433 of 2015

A.Michael Raj

... Petitioner

Vs.

1.The State Information Commissioner,  
Tamil Nadu State Information Commission,  
2, Thiagaraja Salai,  
Near Abyamman Kovil Street,  
Thenampettai, Chennai – 600 018.

2.The Information Officer /  
Tahsildar Taluk Office,  
Sankarankovil Taluk,  
Sankarankovil,  
Tirunelveli District.

3.Ramar  
Information Officer / Deputy Tahsildar,  
Sankarankovil Taluk,  
Sankarankovil,  
Tirunelveli District.

... 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 relating to the Impugned order dated 23.04.2015



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passed by the 1st respondent in Case No.36696/Enquiry/B/2013 (1408/B/2014) and quash the same and consequently direct the 1st respondent to impose penalty to a tune of Rs.25,000/- payable by Respondents 2 & 3 to the Petitioner in accordance with Section 20 (1) of the Right to Information Act, 2005.

For Petitioner : Mr.J.Ashok

For Respondents : Mr.K.K.Senthil,  
Standing Counsel for R1.  
Mr.N.GA.Nataraj,  
Government Advocate for R2 & R3.

### **ORDER**

Heard both sides.

2.The petitioner applied for being furnished with certain information. The information was eventually furnished. But then the grievance of the petitioner is that he has been dragged and vexed for almost three years. Since the information sought for by the petitioner had been given, the Commission chose to close the proceedings. Contending that penalty of Rs.25,000/- should have been levied on the concerned officer, the present writ petition came to be filed.



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3. Whether to levy penalty or not is left entirely to the discretion of the Commission. It is not for the Writ Court to mandate that penalty must be imposed under all circumstances. In this case, the Commission has taken into account all the relevant facts and circumstances and decided to close the proceedings. No interference is warranted and the writ petition stands dismissed. No costs.

**29.08.2023**

NCC : Yes/No  
Index : Yes / No  
Internet : Yes/ No  
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To:-

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