



W.P(MD)No.27519 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.11.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.27519 of 2023

M.Ramasubbu

... Petitioner

Vs.

1.The Chief Information Commissioner,
Tamil Nadu Information Commission,
No.19, Arasu Pannai Illam, Panpet,
Nandhananam, Chennai – 600 035.

2.The Public Information officer /
Assistant Treasury Officer,
District Treasury, Collectorate Post,
Ramanthapuram District – 624 503.

... 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 of the impugned order passed by the 1st respondent in case No.SA 3173/F/2020 dated 17.08.2023 and quash the same and direct the respondents to furnish the information sought by the petitioner and consequently to take action as per section 20(1) and 20(2) and 19(8)(b) of the Right to Information Act within the time limit fixed by this Court.



W.P(MD)No.27519 of 2023

For Petitioner : Mr.B.Kumaresan

For Respondents : Mr.Raghuvaran Gopalan,
Standing Counsel for R1.
Mr.V.Nirmal Kumar,
Government Advocate for R2.

ORDER

Heard the learned counsel for the writ petitioner, the learned standing counsel for the Information Commission and the learned Government Advocate for the second respondent.

2.The petitioner sought information regarding three retired government employees. The Information Commission had disposed of the petitioner's second appeal by directing the petitioner to furnish the information sought for by the Information Officer after which the information sought for by the petitioner would be furnished. That is under challenge in this writ petition.

3.The learned counsel for the petitioner reiterated all the contentions set out in the affidavit filed in support of the writ petition and called upon this Court to grant relief as prayed for.



W.P(MD)No.27519 of 2023

WEB COPY

4.It is true that the impugned order has been passed without affording an opportunity of personal hearing to the writ petitioner. But in this case, on that technical ground, I do not want to interfere. As rightly pointed out by the learned Government Advocate, the order passed by the Commission is substantially in favour of the petitioner. The department cannot be expected to conduct roving enquiry. Unless certain basic details are furnished, it would not possible for the department to render a correct response. The impugned order has been passed correctly. Interference is not warranted and the writ petition is dismissed. No costs.

21.11.2023

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

The Public Information officer /
Assistant Treasury Officer,
District Treasury, Collectorate Post,
Ramanthapuram District – 624 503.

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W.P(MD)No.27519 of 2023

G.R.SWAMINATHAN, J.

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W.P(MD)No.27519 of 2023

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