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W.P.No.11675 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.11675 of 2023

C.R.Arulprakasam Petitioner

Vs

1.The Tamil Nadu State Information commission
Block No.19, Government Farm Village,
Panepet, Nandanam,
Chennai- 600 035.

2.The Superintending Engineer /
Appellate Authority (RTI)
Office of the Superintending Engineer
Highways (Construction and Maintenance)
1653, Highways Colony Trichy Road,
Coimbatore- 641 018.

3.The Deputy Superintending Engineer /
Public Information officer (RTI)
Office of the Superintending Engineer
Highways (Construction and Maintenance)
1653, Highways Colony Trichy Road,
Coimbatore- 641 018.

4.R.Subramaniam Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India
praying for the issuance of a Writ of Certiorarified Mandamus calling for
the records of the 1st Respondent vide order dated 23.08.2022 in Case



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No.SA/15442/F/2021 and quash the same and consequently direct the respondents to permit the petitioner to peruse the records and furnish copies as sought for by the petitioner in his RTI Application dated 12.04.2021 filed under Section 6 of the Right to Information Act.

For Petitioner	: Mr.K.J.Parthasarathy for Mr.C.T.Murugappan
For R1	: Mr.C.Vigneswaran Standing Counsel
For R2 & R3	: Mr.V.Manoharan Additional Government Pleader
For R4	: Mr.A.Sivaji

ORDER

This Writ Petition has been filed challenging the order passed by the first respondent dated 23.08.2022, thereby rejected the appeal filed by the petitioner as against the order passed by the second respondent.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner applied for information under Right to



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Information Act before the third respondent with regard to the bid documents produced by the fourth respondent as per the tender notification issued by the third respondent of the year 2020-2021. The said application was considered and by an order dated 07.06.2021, the petitioner was permitted to inspect and peruse the bid documents, which were produced by the fourth respondent. However, due to COVID-19 pandemic circumstances, the third respondent informed the petitioner that the date of viewing the documents permitted under the Right to Information Act, 2005 will be informed later. Though the third respondent permitted the petitioner to peruse the documents, he dragged on the proceedings and did not permit the petitioner to inspect and peruse the documents which were produced by the fourth respondent.

4. Therefore, the petitioner filed an appeal before the second respondent and the same was not considered and kept pending. Again the petitioner preferred an appeal before the first respondent. The first respondent, by an order dated 23.08.2022, rejected the request made by the petitioner under Right to Information Act on the ground that the petitioner sought for an information 'not for the public interest' but for the personal interest. However, already the third respondent permitted the



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petitioner only to inspect and peruse the bid documents, which were produced by the fourth respondent.

5. The learned counsel appearing for the fourth respondent raised objections that the writ petition itself is not maintainable on the ground that the petitioner suppressed several facts.

6. The writ petition is not required to be considered, as the third respondent had already given permission to the petitioner to inspect and peruse the documents which were produced by the fourth respondent. However, due to COVID-19 pandemic circumstances, the matter has been dragged till now. In view of the above, the third respondent is directed to permit the petitioner to inspect and peruse the bid documents which were produced by the fourth respondent as per the tender notification of the year 2020-2021 on 13.09.2024. It is made clear that the petitioner is not entitled for any copies of the bid documents produced by the fourth respondent.

7. With the above direction, this writ petition stands disposed of. No costs.



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Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

Neutral Citation : Yes/No

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Note : Issue order copy on or before 05.09.2024

To

1.The Tamil Nadu State Information Commission
Block No.19, Government Farm Village,
Panepet, Nandanam,
Chennai- 600 035.

2.The Superintending Engineer /
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G.K.ILANTHIRAIYAN. J.

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