



WEB COPY



W.P.No.25476 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2024

CORAM:

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

W.P.No.25476 of 2022
and W.M.P.No.24477 of 2022

SS, 73, Perumam Patty Primary Agricultural
Co-operative Credit Society Ltd.,
represented by its Secretary,
Siradhapuram Post,
Salem Taluk and District 636307

... Petitioner

-Vs-

1. The Deputy Registrar of Co-operative
Societies/Public Information Officer,
Salem Circle, Salem.

2. S.Murugan

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorari, calling for the records of the Letter of direction issued by the first respondent in Na.Ka.3891/2022 Tho.va.sa dated 29.07.2022 quash the same holding that the Petitioner Co-operative Credit Societies Act Registered under the Tamil Nadu Co-operative Societies Act will not fall within the definition of “Public Authority” as defined under Section 2(h) of the RTI Act.

For Petitioner	: Mr.M.S.Palaniswamy
For R1	: Mr.M.Rajendran
	Additional Government Pleader
For R2	: Mr.M.Ravi



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ORDER

This writ petition has been filed challenging the order passed by the first respondent dated 29.07.2022, thereby directed the first respondent to furnish all the information to the second respondent.

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

3. The second respondent applied for some information under the Right to Information Act with the first respondent. In turn, the first respondent issued impugned communication to the petitioner, thereby directed to furnish all the information as sought for by the second respondent and report before the first respondent. Admittedly, the first respondent is the Public Information Officer.

4. On receipt of the application under Right to Information Act, the first respondent can ask for certain information from the concerned Society. Thereafter, the first respondent shall have to furnish information to the applicant. Therefore, the impugned communication cannot be sustained and liable to be quashed.

5. Accordingly, the Letter of direction issued by the first respondent in



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Na.Ka.3891/2022 Tho.va.sa dated 29.07.2022, is hereby quashed. The first respondent is at liberty to ask for information from the petitioner on the application submitted by the second respondent under the Right to Information Act and thereafter, the first respondent should furnish the information on the application submitted by the second respondent.

6. Accordingly, this writ petition stands allowed. Consequently, connected Miscellaneous petition is closed. No costs.

14.08.2024
(½)

Internet: Yes
Index : Yes/No
Neutral Citation: Yes/No
Speaking/Non Speaking order
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G.K.ILANTHIRAIYAN. J.

mn

To

The Deputy Registrar of Co-operative
Societies/Public Information Officer,
Salem Circle, Salem.

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