



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2024

CORAM

THE HON'BLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.No.34419 of 2024

Velayutham

... Petitioner

Vs

1.The State Chief Information Commissioner,
(E-Section), Tamil Nadu Information Commission,
No-19, Government Farm Village, Fanepet, Nandanam,
Chennai District.

2.The Secretary,
Tamil Nadu State Information Commission,
Block Number 19,
Government Farm Village,
Saidapet, Chennai District.

3.The Registrar,
Tamil Nadu State Information Commission,
Block Number 19,
Government Farm Village,
Saidapet, Chennai District.

4.The Legal Officer,
Tamil Nadu State Information Commission,
Block Number 19,
Government Farm Village,
Saidapet, Chennai District.

5.The District Collector,



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District Collector Office (RTI Cell),
Kancheepuram.

6. The Public Information Officer,
The Additional PA to the District Collector (Land),
Kancheepuram.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, in the nature of a Writ of Certiorarified Mandamus, calling for the records of the 6th respondent in N.K/COLKPM/3754/2024/B4 dated 10.09.2024 and to quash the same and consequently, direct the 6th respondent to furnish the order number 1911/2021/B4 dated 27.02.2021 to the petitioner.

For Petitioner	: Mr.Nagoor Moideen
For R1	: Mr.C.Vigneswaran
For R2 to R6	: Mr.T.Chandrasekaran, Special Government Pleader

ORDER

This Writ Petition has been filed in a nature of Certiorarified Mandamus seeking records of the 6th respondent, the Public Information Officer, the Additional PA to the District Collector (Land), Kancheepuram, with respect to an order dated 10.09.2024 and to quash



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the same and direct the information to be given to the petitioner.

2.The petitioner had stated that he had applied for information before the 5th respondent seeking certified copy of the order of the Collector in Order No.1911/2021/B4 dated 27.02.2021 under Section 2(5) of the Right to Information Act, 2005. The 6th respondent had refused to issue the said order. It is contended that the petitioner had purchased property at S.Nos.638/2, 638/6 in Uthukaadu Village, Kancheepuram Taluk in Kancheepuram District totally measuring 1.65 acres. The sale deed had been registered in the office of the Sub-Registrar, Wallajah in Document No.5584 of 2006.

3.Under the Right to Information Act, 2005, Section 19 provides a right to appeal and also a further right to appeal. The petitioner will have to exhaust such remedies. In the writ petition, he had very specifically stated that petitioner has no other alternate remedy, which statement is not correct. The petitioner has the alternate remedy to file an appeal in accordance with the provisions of the Act. The writ petition cannot be entertained, but however, I would give liberty to the petitioner



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to file a regular appeal and if the period of limitation has lapsed, the period of limitation should not be put against the petitioner if the appeal is preferred on or before 13.12.2024.

4. With the above observations, this Writ Petition stands dismissed. No costs.

25.11.2024

Internet : Yes/No
Index : Yes/No
NCC : Yes/No

smv

To

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C.V.KARTHIKEYAN, J.

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