



W.P.(MD) No.1486 of 2019

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.1486 of 2019

Gokilapandian

... Petitioner

-VS-

- 1.The Commissioner
State Information Commission
No.2, Sir Thiyagarayar Salai
Elthamas Road Junction
Adjacent Alayaman Kovil
Thenampet, Chennai
- 2.The Public Information Officer /
Appellate Authority
The Director of Elementary
Education Officer
Directorate of Elementary
Education Campus
Chennai-06
- 3.The Public Information Officer / Office
The Joint Director of Elementary
Education (Administration)
Director of Elementary Education
Chennai-06



WEB COPY

W.P.(MD) No.1486 of 2019

4.The District Education Officer
Theni, Theni District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for records relating to the impugned order passed by the first respondent in his proceedings dated 20.08.2018 in case No.SA.2288/D/2017 and quash the same and consequently direct the respondents particularly the third respondent to furnish information sought for by the petitioner based on the application dated 22.12.2016.

For Petitioner : Mr.Joseph Thatheus Jerome
for Mr.P.Sivachandran

For Respondents : Mr.K.K.Senthil for R1
Mr.T.Amjad Khan
Government Advocate for R2 to R4

ORDER

This writ petition has been filed challenging the impugned order dated 20.08.2018, passed by the first respondent, rejecting the petitioner's request to give particulars about the action taken by the respondents against the persons, who, according to the petitioner, had given a false sexual harassment complaint against him.



W.P.(MD) No.1486 of 2019

WEB COPY

2. According to the petitioner, since the sexual harassment proceedings initiated against the petitioner have been dropped, action will have to be taken by the respondents against the complainants. The petitioner has sought for information with regard to the same, which has been rejected under the impugned order.

3. If the petitioner is aggrieved by the conduct / behaviour of the complainants, who, according to the petitioner, had given a false complaint against him, which necessitated an enquiry, which was subsequently dropped by the respondents, he is always at liberty to take legal action against them, in the manner known to him under law and if the respondents are also at fault, the petitioner can take action against them also in the manner known to him under law, irrespective of the impugned order.

4. Under the impugned order, on the ground that the petitioner has been submitting regularly representations and harassing the respondents, they have rejected the petitioner's request for information.



WEB COPY

W.P.(MD) No.1486 of 2019

5. As observed earlier, irrespective of the impugned order, nobody has prevented the petitioner to take action against the erring persons, including the respondents, in respect of the alleged false sexual harassment complaint lodged against him, which culminated in an enquiry, which was subsequently dropped.

6. For the foregoing reasons, this writ petition is disposed of granting liberty to the petitioner to take legal action, if he so desires and if the same is found to be maintainable against the erring persons, who, according to the petitioner, had lodged a sexual harassment complainant as well as the respondents, in the manner known to him under law and it is always open to the respondents to oppose the same as and when such an action is taken by the respondents in the manner known to them under law. No costs.

09.09.2024

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

krk



W.P.(MD) No.1486 of 2019

WEB COPY

To:

- 1.The Public Information Officer /
Appellate Authority,
The Director of Elementary
Education Officer,
Directorate of Elementary
Education Campus,
Chennai-06.
- 2.The Public Information Officer / Office
The Joint Director of Elementary,
Education (Administration),
Director of Elementary Education,
Chennai-06.
- 3.The District Education Officer,
Theni, Theni District.



WEB COPY



W.P.(MD) No.1486 of 2019

ABDUL QUDDHOSE, J.

krk

W.P.(MD) No.1486 of 2019

09.09.2024