



W.P(MD)No.16081 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.16081 of 2024

G.P.Hahnemann

... Petitioner

Vs.

1.The Registrar,
Tamil Nadu Homeopathy Medical Council,
Arumbakkam,
Chennai-600 106.

2.The Registrar,
Tamil Nadu Information Commission,
19, Government Farm Estate,
Pernpet, Nandanam,
Chennai-600 035.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to call for the order dated 08.05.2024 in S.A. 5617/Enquiry/E/2020 on the file of the 2nd respondent and to quash the same and consequently directing to impose penalty to the 1st respondent for furnishing false information.

For Petitioner : Mr.S.Mahesh Babu

For Respondents : Mr.D.Sasi Kumar
Additional Government Pleader for R1
: Mr.Raguvaran Gopalan
for R2



W.P(MD)No.16081 of 2024

ORDER

Heard the learned counsel for the petitioner and learned Additional Government Pleader for the first respondent and the learned standing counsel for the second respondent.

2. The petitioner filed a complaint under Section 18(1) of Right to Information Act before the second respondent.

3. When the matter was taken up for hearing, the Public Information Officer appeared and furnished information. Recording the same, the petitioner's complaint was closed. To this effect, an order was also passed. Challenging the same, this writ petition came to be filed.

4. The petitioner's counsel disputed the correctness of the information enclosed with the order. The stand of the learned standing counsel for the Commission is that if the Public Information Officer has furnished incorrect information, remedy open to the petitioner is to move the appellate authority under Section 19(1) of the Act. The stand of the second respondent is quite appealing. But I am constrained to interfere only for the reason that the order was passed in the absence of the petitioner.



W.P(MD)No.16081 of 2024

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5. Taking into account the special facts and circumstances of this case, the petitioner is given one more opportunity. The petitioner shall appear before the second respondent on 20.08.2024. The second respondent will send an intimation to the first respondent to appear again on the said date. It is for the second respondent to pass an appropriate order on merits and in accordance with law.

6. With this liberty to the petitioner and direction to the second respondent, the writ petition is disposed of. No costs.

18.07.2024

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

To

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Chennai-600 106.

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G.R.SWAMINATHAN, J.

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