



W.P(MD)No.16166 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.16166 of 2024

Maria Dilipan Raj

... Petitioner

Vs.

1.The Tamil Nadu Information Commissioner,
O/o.Tamil Nadu Information Commission,
Post Box No.6405,
Block No.19, Government Farm Village,
Nandanam,
Chennai – 600 035.

2.The Public Information Officer,
Revenue Divisional Office,
Trichy – 620 001,
Tamil Nadu.

3.The Appellate Information Authority,
Revenue Divisional Office,
Trichy – 620 001,
Tamil Nadu.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to take disciplinary action under Section 20(2) RTI Act, 2005 against the respondents 2 and 3, consequently to impose penalty to them under



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Section 20(1) RTI Act, 2005 and thereby to compensate the petitioner under Section 19(8)(b) of the RTI Act, 2005 thereby considering the petitioner's representation dated 04.09.2023 within a time frame as fixed by this Court.

For Petitioner : Ms.B.Deepa

For Respondents : Mr.Raguvaran Gopalan for R.1

Mr.P.Thambi Durai
Government Advocate
for R.2 & R.3

ORDER

Heard both sides.

2.The petitioner sought information under the provisions of the Right To Information Act, 2005. Though information was furnished, there was delay of 9 days. The petitioner therefore wants not only compensation but also initiation of disciplinary action. The petitioner had filed Second Appeal before the Commission on 28.08.2023. Since it was not acted upon, the present writ petition came to be filed.

3.The learned counsel appearing for the petitioner reiterated all the contentions set out in the affidavit filed in support of the writ petition and called upon this Court to direct the first respondent to take disciplinary action and also impose penalty on the erring officials.



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4.Though the contentions raised by the learned counsel appearing for the petitioner appeal to me, I decline to exercise my discretion in the matter. The fact remains that the petitioner had been furnished with the information sought for. Merely because there was some delay, that does not necessarily mean that disciplinary action should be initiated and compensation levied. It is quite possible that the respondents 2 and 3 had some real reason for not being able to furnish the information in time. This is not a fit case for issuing the direction sought for. “De minimis non curat lex” is a legal maxim. It means that the law does not concern itself with trifles.

5.This writ petition stands dismissed. There shall be no order as to costs.

19.07.2024

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

To

1.The Tamil Nadu Information Commissioner,
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G.R.SWAMINATHAN,J.

MGA

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