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W.P.(MD)NO.21208 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.07.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.21208 of 2022

A.Somasundaram

... Petitioner

Vs.

1. The Central Information Commission,
R.No.313, Baba Gangnath Marg,
CIC Bhavan,
Munirka, New Delhi – 110 067.

2. First Appellate Authority,
Director of Postal Services,
O/o.the Postmaster General,
Southern Region(TN),
Madurai – 625 002.

3. Central Public Information Officer,
O/o.of Senior Superintendent of Post Offices,
Kanyakumari Division, Nagercoil,
Kanyakumari District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to pass appropriate and suitable orders based on the final orders dated 08.08.2017 and 20.09.2018 passed by the first respondent, by also considering the reminders of the petitioner dated 22.11.2019, 31.10.2020 and 15.11.2021 and to direct the third respondent to provide all the information sought for by petitioner in his communications dated



29.08.2015 and 25.10.2017 sought under the provisions of Right to Information Act, 2005 within a time frame as may be fixed by this Court.

For Petitioner : Mr.G.Aravinthan

For R-2 & R-3 : Mr.K.Govindarajan,
Deputy Solicitor General of India.

* * *

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Deputy Solicitor General appearing for respondents 2 and 3.

2. The petitioner applied for being furnished with certain information under the Right to Information Act. His case is that even though the Central Commission directed the respondents 2 and 3 to furnish information point wise, they have not done so. Hence, this writ of mandamus has been filed.

3. Respondents 2 and 3 have filed detailed counter affidavit. The learned Deputy Solicitor General took me through its contents. He called upon this Court to dismiss this writ petition.



4. I carefully considered the rival contentions and went through the materials on record.

5. It is seen that the writ petitioner is a retired Postal Assistant. During his tenure, a postal employee by name Tmt.Packiyajothi had committed certain irregularities. She was departmentally dealt with. The petitioner wanted information for the following queries:-

“1) Whether any postman under suspension has been posted again in the same beat after revocation of his suspension?

2) Whether any complaint against the said post woman have been received before and after her suspension?

3) Who is the officer enquired the complaints?

4) What are the actions taken on those complaints?

5) Whether there are any unattended complaints till date? If it is so, why the complaints were not attended? ”

I cannot help making one remark. The Right to Information Act was enacted to empower the citizens. The petitioner's rights are in no way at stake. I fail to understand as to why he is bothered as to what happened to the said Packiyajothi. The postal department states that Packiyajothi was departmentally dealt with and compulsorily retired on 23.03.2018. I



do not know as to how the petitioner will be benefited by being furnished with a copy of the enquiry report.

6. This is a classic case indicating as to how the Right to Information Act is being misused. This is not a case in which the writ jurisdiction should have been invoked. This writ petition stands dismissed. No costs.

25.07.2024

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



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G.R.SWAMINATHAN,J.

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