



W.P(MD)No.23180 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.09.2024

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THE HONOURABLE Ms. JUSTICE P.T.ASHA

W.P(MD)No.23180 of 2024

and

W.M.P(MD)Nos.19637 & 19638 of 2024

K.R.Manjula

... Petitioner

Vs.

1.The Chief Information Commissioner,
Tamil Nadu Information Commission,
No.2, Theagaraya Salai,
Near Aalai Amman Koil,
Teynampet,
Chennai-600 018.

2.The District Collector,
Ramanathapuram District,
Ramanathapuram.

3.The District Revenue Officer,
Office of the Collectorate,
Ramanathapuram District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records pursuant to impugned order passed by the first respondent in his proceedings NC



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1195/C/2023(SA 16457/C/2022, dated 09.11.2023 and the impugned order passed by the third respondent in his proceedings Na.Ka.A7/6639/2024 dated 02.09.2024 and set aside the same and pass any such or further order as this Court.

For Petitioner : Mr.K.Porkodi
For R-1 : Mr.Raguvaran Gopalan
For R-2 & R-3 : Mr.B.Saravanan
Additional Government Pleader

ORDER

The petitioner has approached this Court invoking the writ jurisdiction for the issue of a Writ of Certiorari, to call for the records of the first respondent in his proceedings NC 1195/C/2023(SA 16457/C/2022, dated 09.11.2023 and quash the same.

2. The petitioner would submit that she is working as a Deputy Tahsildar. In the year 2022, she was working as an Assistant in the Collectorate, Ramanathapuram. One N.Ramachandran was in the habit of sending petitions under the RTI seeking one information after the other. It appears that a similar request was made on 13.06.2022. At that point in time, the petitioner was



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working at the Collectorate, Ramanathapuram and she had been appointed as the Head Quarters Deputy Tahsildar / Public Information Officer, Keelakarai only on 02.01.2023. The petitioner would submit that the said Ramachandran had filed an appeal before the first respondent and the petitioner was interrogated over the telephone and directed to provide the necessary information. Thereafter, the petitioner had sent a communication to the said N.Ramachandran to appear in person at her office on a particular date, on which date, he did not appear. On 09.04.2023, the petitioner had been relieved from the post and was directed to undergo training in the Police Department. Once again, the said Ramachandran had approached the first respondent raising the same allegation and the first respondent had sent a notice of enquiry, dated 09.11.2023 to the Public Information Officer / Deputy Tahsildar, Keelakarai to appear in person before the first respondent. One Mr.Meenakshi Sundaram, who was at that point in time holding the said post did not appear before the first respondent and the first respondent has passed the impugned order directing the second and third respondents to impose a fine of Rs.50,000/- upon the petitioner thinking that she had been holding the said post and had also directed disciplinary proceedings. Challenging the same, the petitioner is before this Court.



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3. Heard the learned Counsels on either side.

4. From the records submitted it is clear that neither when the RTI query had been raised nor when the communication directing appearance before the first respondent for enquiry was passed, was the petitioner holding the post of Head Quarters Deputy Tahsildar / Public Information Officer, Keelakarai. When the RTI query was raised, she was working in the Collectorate at Ramanathapuram and on 09.11.2023, when the enquiry notice was issued, the petitioner had much before that i.e., on 09.04.2023 relieved from the post of Head Quarters Deputy Tahsildar / Public Information Officer, Keelakarai and directed to undergo training in the Police Department. Between 10.04.2023 to 20.08.2023 one Mr.A.Alagappa was holding the aforesaid post of Head Quarters Deputy Tahsildar / Public Information Officer, Keelakarai. From 21.08.2023 to date, it is one Meenakshi Sundaram, who is holding the said post. Therefore, the impugned order imposing cost against the petitioner has to necessarily be set aside and accordingly, it is set aside.



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5. The writ petition stands allowed. There shall be no order as to costs.

Consequently, connected Miscellaneous Petitions stand closed.

27.09.2024

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

To

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P.T.ASHA, J.

BTR

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