



W.P.(MD) No.18952 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.10.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.18952 of 2017

and

W.M.P(MD)No.15312 of 2017

K.Lingam

... Petitioner

Vs.

1.The Commissioner,
Tamil Nadu State Information Commission,
No.2, T.Nagar, Thenampettai,
Chennai-18.

2.V.Devendiran

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorari, to call for the records in respect of order passed by 1st respondent in SA 641/D/2017/X, dated 06.09.2017 and quash the same as illegal.

For Petitioner : Mr.S.Chellapandian

For R1 : Mr.K.K.Senthil

For R2 : No Appearance



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ORDER

The petitioner has filed a writ petition seeking to quash the order passed by the 1st respondent, dated 06.09.2017 in SA 641/D/2017/X.

2. It is the case of the petitioner that he was the Headmaster of Hindu Nadar Uravinmurai Committee, Higher Secondary School, T.N.Pudukudi, Puliyangudi. He has been serving as a teacher for over 25 years in the said institution. While so, he had received notice, dated 24.07.2017 from the 1st respondent calling upon him to appear before the 1st respondent on 09.08.2017 with regard to an appeal filed by the 2nd respondent who had sought certain information under the Right to Information Act. The petitioner would submit that he received a notice together with the copy of the appeal. The petitioner thereupon came to learn that the information that was requested was the service particulars of the teacher working in the said school. It also appeared that the application, dated 09.08.2016 was forwarded to the petitioner's office by the Chief Educational Officer vide order, dated 08.09.2016. The contention of the 2nd respondent was that he has not received any reply to



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his application. The petitioner would submit that no communication had been received by him except for the summons, dated 24.07.2017. The petitioner was not able to attend the enquiry held on 09.08.2017. However, he had forwarded the information as required by the 2nd respondent vide his letter, dated 04.09.2017. However, the 1st respondent without considering the same, had proceeded to pass an order imposing punishment of a sum of Rs.25,000/- upon the petitioner. Aggrieved by the same, the petitioner is before this Court.

3. When the matter had come up on 10.09.2024, this Court had directed the learned counsel appearing for the petitioner to forward the information at Serial No.24 and produce the acknowledgment card on 03.10.2024 and if that is done, the Court would set aside the order passed by the 1st respondent. When matter had come up on 03.10.2024, the matter was adjourned to 24.10.2024 (today) for reporting compliance. The learned counsel for the petitioner would submit that there was no response to the letters sent by her to the petitioner. Therefore, the petitioner appears to have not sent the requisite information. The



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petitioner has not made out any case for interfering with the order impugned.

4. In these circumstances, this Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

24.10.2024

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

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To

The Commissioner,
Tamil Nadu State Information Commission,
No.2, T.Nagar, Thenampettai,
Chennai-18.



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P.T.ASHA, J.

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