



W.P.No.18687 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated: 13.06.2025

Coram:

THE HONOURABLE MRS.JUSTICE N.MALA

WP.No.18687 of 2025

V. Alex Pandiyan

... Petitioner

Vs.

1.The State Information Commissioner,
Tamil Nadu Information Commission,
No.19, Government Farm Village, Panpet,
Nandanam, Chennai – 600 035.

2. The First Appellate Authority,
Superintendent of Police,
Office of the Superintendent of Police,
Chengalpattu District – 603 001.

3. The Public Information Officer,
Additional Superintendent of Police,
(Head Quarters),
Office of the Superintendent of Police,
Chengalpattu District – 603 001.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1 to 3 respondents to Right to information Act, 2005 under Section 6(1) petition Case S. No.01 to

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16 as requested through RTI in TNSCIC Case no.,1,
SA.4649/SCIC/DEF/2024 order dated 07/02/2025 and quash the order
passed on by the second respondent and to direct the 3rd respondent to pay
huge compensation and pass orders.

For Petitioner : Mr.D. Philip RajKumar
For Respondent-1 : Mr.C. Vigneswaran, Government Advocate
For Respondents 2 and 3: Mr.V. Manoharan,
Additional Government Pleader

ORDER

This writ petition is filed for a direction to the respondents 1 to 3 to
provide the information sought for by the petitioner under the RTI Act, to
quash the order dated 07.02.2025, and consequentially direct the third
respondent to pay huge compensation.

2. The petitioner filed an application under Section 6(1) of Right to
Information Act,2005, to the third respondent seeking information stated
therein. As the third respondent did not provide information, the petitioner
filed an appeal under section 19(1) of the Act to the first appellate authority.
The appellate authority also did not provide the information requested by
the petitioner. Therefore, the petitioner filed a second appeal to the first

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respondent on 05.04.2024. The first respondent/ Commission on 05.04.2024, directed the PIO to furnish the information sought for by the petitioner and thereafter mark a copy of the same to the commission. The petitioner states that the third respondent did not provide accurate information as requested by him under the RTI application. Therefore, the petitioner was constrained to file the above writ petition for the above relief.

3. The respondent filed a counter stating that the petitioner filed a second appeal to the first respondent on 25.12.2024, and a direction was issued by the first respondent to the PIO to furnish the information sought for by the petitioner. Thereafter, the commission on 27.12.2024, directed the petitioner to submit acknowledgment for the receipt of the reply provided by the PIO, to the commission on or before 31.01.2025. According to the respondents it was made clear in the letter dated 27.12.2024, of the commission, that if the petitioner did not reply to the letter, it would be deemed that he was satisfied with the reply and the second appeal would be closed.



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4. The respondent states that as the petitioner did not reply to the letter dated 27.12.2024, within the stipulated time, the second appeal was closed on 07.02.2025. The respondent's therefore stated that there were no merits in the writ petition.

5. Heard both counsel and perused the records. With the consent of both counsels, this writ petition is disposed of

6. The petitioner in his affidavit did not whisper about the letter dated 27.12.2024 of first respondent. That the petitioner received the said letter cannot be denied by the petitioner since he has filed the same in the typed-set of papers. In the said letter it was made clear that if, the petitioner failed to reply to the letter on or before 31.01.2025, it would be deemed that the information sought for by him was furnished and the second appeal would be closed. As the petitioner did not reply to the said letter, the first respondent closed the second appeal on 07.02.2024..



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7. If the petitioner was not really satisfied with the information provided by the 3rd respondent, he ought to have replied to the letter dated 27.12.2024, of the first respondent. As the petitioner failed to reply to the aforesaid letter, the first respondent cannot be faulted for closing the second appeal vide the impugned order. Hence, I find no infirmity or illegality in the impugned order. Suppressing the letter dated 27.12.2024 of the first respondent, the petitioner has filed the above writ petition, challenging the closure order. The petitioner has, in my considered view, approached this Court with unclean hands and hence he is not entitled to the equitable relief.

8. In view of the above discussions, I do not find no merit in the writ petition. Hence, this petition deserves to be dismissed. Accordingly this petition is dismissed.

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Speaking Order: Yes/No
smn

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N.MALA, J

smn

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