



W.P.No.28727 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2025

CORAM:

THE HONOURABLE MRS. JUSTICE N.MALA

W.P.No.28727 of 2025

M. Arivazhagan

... Petitioner

Vs

1. The Joint Commissioner cum
Appellate Authority,
Hindu Religious and Charitable
Endowment Department,
Salem District – 636 002.

2. The Public Information Officer,
Office of the Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Salem District – 636 002.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying to issue a writ of mandamus to direct the respondents to permit the petitioner to inspect the records and documents as sought for in the RTI applications dated 08.05.2025 and 22.05.2025 and the RTI first appeal dated 14.07.2025 and take notes, extracts and certified copies of such documents and records within the time frame fixed by this Court.



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For Petitioner : M/s.J.Madhumitha

For Respondents : Mr.S.Ravichandran
Additional Government Pleader

ORDER

This writ petition has been filed for issuance of a writ of mandamus to direct the respondents to permit the petitioner to inspect the records and documents as sought for in the RTI applications dated 08.05.2025 and 22.05.2025 and the RTI first appeal dated 14.07.2025 and take notes, extracts and certified copies of such documents and records.

2. The petitioner is a long time resident of Jagir Ammapalayam, Salem, residing near Arulmigu Vennankodi Muniyappa Swamy Temple, which is governed by the Hindu Religious and Charitable Endowments (HR & CE) Department. The petitioner states that the temple owns 11 commercial shops and except one prasadam shop, all others were leased out privately over 3 decades in violation of the provisions of Hindu Religious and Charitable Endowment Act and Rules. After demolition

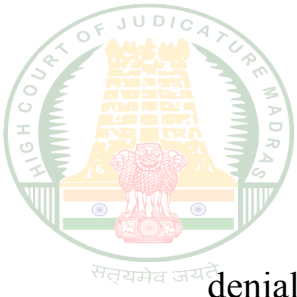


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and reconstruction of ten shops in September 2024, the petitioner made repeated oral and written requests to the authorities for conducting a fair and transparent public auction, similar to what was done for the prasadam shop, however, the new shops were again leased out through opaque means. Therefore, the petitioner submitted several RTI applications to the 2nd respondent, seeking information on the basis of authority for such leasing practices, the rent fixation method and related official records. These applications also included requests to inspect and obtain certified copies of the relevant documents, as per Section 2(j) of the Right to Information Act, 2005. Despite repeated applications dated 27.03.2025, 08.05.2025 and 22.05.2025, no response or access to the documents were provided by the authorities.

3. Due to continued non-compliance, the petitioner filed a statutory RTI appeal, under Section 19 (1) of the Act on 15.07.2025, before the 1st respondent, the designated appellate authority. Yet, there was no response to the appeal nor any permission was granted to inspect the records. The petitioner states that this deliberate silence and inaction amounted to a



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denial of statutory and fundamental rights under the RTI Act and Article 19(1) (a) of the Constitution. The petitioner further states that the records sought for are public in nature and are not exempt under Section 8 of the RTI Act. Despite appeal the petitioner has not been granted permission to inspect the records and therefore the petitioner was constrained to file the above writ petition for the aforesaid relief.

4. Heard the learned counsel on either side and perused the materials available on record.

5. It is admitted that the petitioner filed RTI appeal under Section 19(1) of the Act on 15.07.2025, for inspection of requested documents and for certified copies of the same. However, the learned Additional Government Pleader submitted that the petitioner could inspect the documents by paying Rs.2/- per page.

6. The submission made by the learned Additional Government Pleader is recorded. The writ petition is disposed of with a direction to



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the petitioner to approach the respondents for inspection and certified copies of the documents. The petitioner shall within a period of 2 weeks from the date of receipt of a copy of this order approach the respondents, pay the requisite fee of Rs.2 per page and inspect the documents. The respondents shall inturn on receipt of the requisite fees supply the certified copies of the documents sought for by the petitioner.

7. With the above direction, the writ petition is disposed of. No costs.

12.08.2025

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Index: Yes/No
Speaking order / Non speaking order



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N. MALA, J.

dpq

To

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Endowment Department,
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Office of the Joint Commissioner,
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