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W.P.No.33881 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

Writ Petition No.33881 of 2025

M.Ezhumalai

... Petitioner

Vs.

1. The State Information Commissioner,
Taminadu Information Commission,
No. 19 Arasu Pannai Illam,
Pernpettai (Pension pay Office Back Side),
Nandhanam, Chennai 600 .

2.The Director General Of Police
Right to Information Officer,
The Office Of The Director General Of Police,
Mylapore, Chenani 600 004.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for, to issue a Writ of Certiorari Mandamus, to call for the records of the 1st respondent order SA. 249/SCIC/DEF/2024 dated 20.05.2025 and quash the same and consequently direct the 1st respondent to provide details to the petitioner RTI petition dated 7.9.2023.

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For Petitioner : Mr.Kawinselvakumar, G.
For M/s.M.Jaisingh

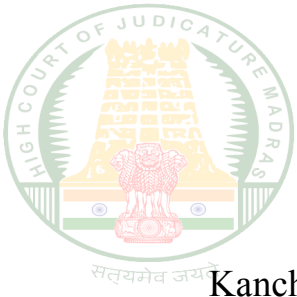
For Respondents : Mr.C.Vigneshwar,
Standing Counsel for R1,

Mr.R.Venkatesa Perumal,
Government Advocate, for R2

ORDER

The petitioner seeks for the following relief:

*to issue a Writ of Certiorari Mandamus, calling
for the records of the 1st respondent order SA.
249/SCIC/DEF/2024 dated 20.05.2025 and quash
the same and consequently direct the 1st respondent
to provide details to the petitioner RTI petition dated
7.9.2023.*



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2. The petitioner states he was working as a Police Constable in the Kancheepuram District Armed Reserve from 1988 to March 1999. He applied for and claims that he was successful in the examination conducted for Sub-Inspectors under the 20% Departmental Quota. The petitioner was appointed as a Sub-Inspector on 16.04.1999. He retired from service on 31.05.2024.

3. During his tenure, on 29.10.2022, the writ petitioner submitted an RTI petition seeking information from the second respondent on the following aspects:

1)"What was the cutoff mark set for appointment in the 1997 Sub Inspector (Taluk Category 1) 20% departmental quota for the Scheduled Caste list, and what were the mark details of those who were appointed and sent for training?"

2) What was the cutoff mark set for appointment in the 1997 Sub Inspector (Armed Reserve, Category 2) 20% departmental quota for the Scheduled Caste list, and what were the mark details of those who were appointed and sent for training?"



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3) What was the cutoff mark set for appointment in the 1997 Sub Inspector (Tamil Nadu Special Police, Category 3) 20% departmental quota for the Scheduled Caste list, and what were the mark details of those who were appointed and sent for training?

4) "The final mark list containing the details of all 267 candidates who were finally sent for Sub-Inspector training under the 1997 departmental quota (20%) was requested."

4. The second respondent sent a reply on 11.01.2023 stating that the examination had been conducted by the Tamil Nadu Uniformed Services Recruitment Board. It stated that despite diligent efforts, the records were not traceable.

5. Aggrieved by the same, the petitioner filed an Appeal before the State Information Commission/first respondent. This Appeal was received in SA.249/SCIC/DEF/2024. The Commission sent a letter calling upon certain clarifications from the petitioner. In pursuance thereof, the



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petitioner also sent the details by way of Registered Post with acknowledgment due. The post sent by him was also received by the Information Commission as is clear from the acknowledgment card enclosed at page No.17 of the typed set of papers. Despite this reply reiterating the objections, yet again, without reference to the reply given by the petitioner, another letter was sent on 11.03.2025. The petitioner responded to the same on 07.04.2025. This too was by way of Registered Post with acknowledgment due. Though both the letters were served, the impugned order closing the complaint has come to be passed. Aggrieved by the same, the present Writ Petition.

6. I heard Mr.Kavin Selvakumar, learned counsel appearing for M/s.M.Jaisingh, for the petitioner, Mr.C.Vigneshwar, learned Standing Counsel appearing for the first respondent, and Mr.R.Venkatesa Perumal, learned counsel appearing for the second respondent.



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7. I have carefully considered the submissions made on either side and have gone through the records and have applied my mind to the facts and circumstances of the case.

8. When the petitioner has given the clarification that the first respondent wants, and not once but twice; having received the same, it does not lie in the mouth of the first respondent to pass an impugned order as it has so done. It ought to have considered the Appeal Memorandum, as well as the response by the Writ Petitioner and thereafter, taken a call on the Appeal. This reflects that one branch of the Information Commission does not seem to know what the other branch is doing or is in receipt of.

9. The impugned order cries out to be quashed. Accordingly, it is set aside. The order in SA.249/SCIC/DEF/2024 stands restored on the file of the first respondent. The Information Commission shall pay a token cost of Rs.1,000/- to the writ petitioner.



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10. Hence, the Writ Petition is allowed. The Information Commission shall dispose of the Appeal after considering the objections given by the petitioner in accordance with law.

08.09.2025

jv

Internet : Yes
Index : Yes/No
Neutral Citation : Yes/No
Speaking order/Non Speaking order

To

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V. LAKSHMINARAYANAN, J.

jv

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