HC-KAR

NC: 2026:KHC:61326
WP No. 18758 of 2024

CNR: KAHC010390082024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 4TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE T.P.VIVEKANANDA

WRIT PETITION NO. 18758 OF 2024 (GM-RES)

BETWEEN:

SRI. R. RAJANNA
S/O LATE RANGAPPA
AGED ABOUT 66 YEARS
NO.994, 1ST MAIN ROAD
M.C.LAYOUT, VIJAYANAGAR
BENGALURU-560 040

...PETITIONER

(BY SRI. UDAYA KUMAR R.L, ADVOCATE)

AND:

1. THE SECRETARY
   HOME DEPARTMENT
   STATE OF KARNATAKA
   VIDHANA SOUDHA
   BENGALURU-560 001

2. THE PUBILC INFORMATION OFFICER
   O/O THE SUPERINTENDENT OF POLICE
   RAMANAGAR
   RAMANAGAR DISTRICT-562 159

3. THE FIRST APPELLANT AUTHORITY
   THE SUPERINTENDENT OF POLICE
   RAMANAGAR
   RAMANAGAR DISTRICT-562 159

4. STATE CHIEF INFORMATION
   COMMISSIONER, BENCH NO. 1

Digitally signed by PREMCHANDRA M R
Location: HIGH COURT OF KARNATAKA

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KARNATAKA INFORMATION COMMISSION
DEVARAJ URAS ROAD
OPPOSITE TO VIDHAB
SOUDHA EAST DOOR
BENGALURU-560 001

…RESPONDENTS

(BY SRI. M. SRINIVAS KUMAR, HCGP FOR R1 TO R3;
SRI. G. B. SHARATH GOWDA, ADVOCATE FOR R4)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECTING THE 2ND AND 3RD RESPONDENTS TO FURNISH THE INFORMATION AS PER THE ORDERS PASSED BY R4 IN 2ND APPEAL NO. KIC/9984/APL/2023 DTD 30.10.23 MARKED AS ANNEXURE-E.

THIS WRIT PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE T.P.VIVEKANANDA

ORAL ORDER

The petitioner is before this Court seeking issue of writ of mandamus to respondent Nos.2 and 3 to furnish the information in compliance of the order passed by the respondent No.4 as per Annexure-E. The petitioner has also sought for issue of direction to the respondent Nos.2 and 3 to pay the cost or penalty by considering the representation at Annexure-F to the writ petition.

2. The submission of the learned counsel for the petitioner is that on 06.04.2022, a representation was submitted to the Superintendent of Police, Ramanagara District, requesting to take action in terms of the complaint submitted on 06.04.2022. Thereafter, the application under the Right to Information Act was filed on 18.04.2022. There was no response. Then the petitioner had to file the first appeal before the Appellate Authority. Thereafter, the second appeal was filed before the respondent-State Information Commission. The State Information Commission had issued notices to the Public Information Officer and the First Appellate Authority i.e., the respondent Nos.2 and 3 herein.

3. As there was no response from the said respondents, the respondent No.4-State Information Commission disposed of the second appeal by order dated 30.10.2023 directing the Officers who were holding the respective posts of the Deputy Superintendent of Police/Public Information Officer and the Superintendent of

Police/First Appellate Authority as on the said date to furnish the information sought by the petitioner. Despite the clear direction by the State Information Commission, the respective Officers against whom the order was passed have not furnished the information, which resulted in the petitioner approaching this Court in the instant writ petition.

4. It is noticed from the records that after filing of the instant writ petition, on behalf of the respondents, the learned AGA has filed a memo dated 11.09.2024 enclosing the copies of the documents, which have been furnished to the petitioner under letter dated 13.01.2024. Learned counsel for the petitioner also acknowledges that the information as contained in the memo dated 11.09.2024 have been furnished to the petitioner. However, it is the contention of the petitioner that to obtain the information, the petitioner had to file two appeals before the First Appellate Authority and the respondent No.4 -State Information Commission. Despite the direction issued by

the State Information Commission, the Officers concerned did not care to comply with the order by furnishing the information sought by the petitioner.

5. In the order passed by the State Information Commission, there is a positive direction to furnish the information to the petitioner/appellant in person or through post within four weeks from the date of receipt of the copy of the order and file compliance report along with proof of furnishing of the information. Despite the same, the information was not furnished within four weeks and no report has been filed before the State Information Commission. The documents furnished along with the memo disclose that information has been furnished to the petitioner on 13.01.2024. Thus, there is delay of more than a month in furnishing the information even after the order passed by the respondent No.4-State Information Commission.

6. In that view of the matter, though the prayer No.1 in the writ petition has rendered infructuous in view of furnishing of the information, however, the prayer No.2 for imposition of cost or penalty requires to be considered.

7. For the aforesaid reasons, this Court deems it just and appropriate to direct the Officers against whom the direction was issued by the respondent No.4 to furnish information and compliance report or any other Officers who were responsible for the delay in furnishing the information to be saddled with cost of Rs.5,000/- each payable to the petitioner within a period of four weeks from the date of receipt of certified copy of this order. Accordingly, the writ petition is ***disposed of***.

Sd/-
(T.P.VIVEKANANDA)
JUDGE

PB
List No.: 1 Sl No.: 44