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WP No. 3777 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-02-2026

CORAM

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

WP No. 3777 of 2026

Meena Vetrichelvan

..Petitioner

Vs

1. State Information Commissioner,
Office of the State Information Commissioner,
No.19, Government Farm House,
Panpet, (Backside of Pension Office),
Nandanam, Chennai – 600 035.
2. Municipality Commissioner/Appellate Authority,
Kasankulam,
Thenkarai, Pattukottai Municipality,
Thanjavur District, Pin : 614 601.
3. Public Information Officer/Manager,
Pattukottai Municipality,
Thanjavur District, Pin : 614 601.

..Respondents

Prayer: This writ petition has been filed under Article 226 of the Constitution of India seeking issuance of a writ of Certiorarified Mandamus, calling for the records of the first respondent comprised in his order dated 17.11.2025 in Case No.NC 1421/D/2023, NC 1353/D/2023 and SA 18980/D/2022, quash the same as arbitrary, illegal, unconstitutional and opposed to the principles of natural justice and consequently direct the first respondent to provide the information sought for by the petitioner in her letter dated 03.08.2022 in a time bound manner.



For Petitioner : Mr.K.Sivasubramanian

For Respondents : Mr.C.Vigneshwaran Chandrasekaran, for R1
Dr.T.Seenivasan, SGP for R2 & R3

ORDER

Heard Mr.K.Sivasubramanian for the petitioner, Mr.C.Vigneshwaran Chandrasekaran, standing counsel for the first respondent and Dr.T.Seenivasan, Special Government Pleader for the respondents 2 and 3.

2. The petitioner, a senior citizen, was aggrieved by certain actions of draining the sewage in an unscientific manner within her neighbourhood. Hence, she sought information from the third respondent regarding the relevant provision of law, as to the further course of action that should be initiated under the Tamil Nadu Local Bodies Act, 1998. The third respondent, instead of responding to the said information, kept quiet. It constrained the petitioner to file an appeal invoking Section 19(1) of the Right to Information Act. The second respondent too, did nothing. Hence, the petitioner approached the first respondent by way of a second appeal invoking Section 19(3) of the Right to Information Act. This appeal was taken on file as SA.No.18980/D/2022 by the first respondent.

3. The first respondent acting on the appeal directed the third respondent



to provide information to the petitioner by 13.03.2023. This order was passed by the first respondent on 17.02.2023, but the third respondent's recalcitrant and lethargic attitude continued. The third respondent did not issue the information despite the direction of the first respondent. The petitioner constantly followed up the matter with the third respondent, as no action was forthcoming. When the second appeal was listed before the first respondent on 31.08.2023, the petitioner informed the first respondent that the third respondent has been sitting on the file. The third respondent, in order to avoid any issue from the first respondent stated that the information will be provided within a period of 30 days.

4. On 19.09.2023, the third respondent sent an information, unrelated to what was sought by the petitioner. Referring to a single window system that has been evolved by the third respondent, he set forth the procedure to be followed for obtaining permission for construction of compound walls. The petitioner was shocked to see such a reply. This Court is not surprised at the shock received by the petitioner, as the grievance raised pertains to health hazards on account of the unscientific manner in which the sewage was being discharged, whereas the respondent addressed an entirely different issue with respect to compound walls. Nowhere in the world, including in Pattukottai, can sewage be discharged by constructing a compound wall. This shows that the third respondent, by some means or the other, wanted to project a case before the first



respondent that he had complied with the order.

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5. The petitioner, being a senior citizen, with years of experience, continued her tenacious pursuit of the information she sought. After being shocked, she filed an application on 25.09.2023, alleging that the information provided was misleading and does not comply with the order passed by the first respondent. The non-compliance petition was taken on file by the first respondent as NC.No.1353-D-2023 and the case was listed on 06.11.2025. The petitioner appeared before the first respondent on that day. The third respondent did not appear, but sought an adjournment. In addition, the third respondent had informed the first respondent by way of an email, that the necessary information had been provided on 09.04.2024 and 06.05.2025. Recording the same, the first respondent closed the non-compliance petition. Aggrieved by the same, the petitioner is before this Court.

6. When the matter was taken up for hearing, Mr.Vigneshwaran Chandrasekaran represented that he will produce the information that was furnished to the first respondent, by the third respondent. In order to give some opportunity to the first respondent, so as to enable this Court to ascertain whether the information sought by the petitioner had, in fact, been furnished. I listed the matter today.



04.371 2002.05

1. பிழைப்புள்ள கருவியைக் கொண்டு
தொடர்பு கொள்ளுமாறு,
மேற்கண்டவர்களை
மார்ச் 08.06.2024.

பெயர்:	தகவல் அறிவுரை உரிமைகாட்டும் 2006 - பட்டிகைகட்டை நகராட்சி - திருவாரூர். கெட்டுப்பெருங்குடி, கள்ளப்படி தகவல் அறிவுரை உரிமைகாட்டத்தின் கீழ் கெட்டுப்பெருங்குடி மன்றத்திற்கு தகவல் அனுப்புக - பெருங்குடி.
படிக்க:	மாதிரி தகவல் அனுப்புக, தகவல் அறிவுரை தகவல், கெட்டுப்பெருங்குடி அறிவுரைகளை அனுப்புக. எண்: 84/19960/5/2022-ன் அறிவுரை நாள்: 31.08.2023

பாதிமங்கலம் காலத்தில் மாதிரி தகவல் ஆணையர், தமிழ்நாடு தகவல் ஆணையர், சென்னை டிபன்சரிஜின் ஆணையரில் தெரிவிக்கப்பட்டதறிணங்க, கீழ்க்கண்ட தகவல்கள் கருதுவதற்குத் தயாரிக்கப்பட்டிருக்கின்றன.

[illegible]

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தொகுதி:
திருமதி ரீனா செந்திரிசெல்வம்,
க/பொ.உ.க. திருச்சி மாவட்டம்,
4, காளையார் குளம் தெரு,
17 இலிருந்து.

[illegible]



8. While this information complies with the requirements of the petitioner, this Court cannot help but notice that a senior citizen has been shunted from Pattukotai, situated in distant Thanjavur District, has been forced to approach the first respondent in Chennai atleast on two separate occasions. The information that the petitioner sought from the third respondent does not fall under any of the exceptions provided under Section 8. The petitioner wanted to activate the second and third respondents by way of an RTI application, to take action on the unscientific manner in which the sewage is being discharged.

9. The second respondent, being the Commissioner of the Municipality owes a duty to the residents falling within his commissionerate's jurisdiction to keep the area free of any health hazards. Yet, the respondents 2 and 3 did not respond to a senior citizen's plea. They have treated the request as an adversarial process, and taking advantage of the provision under the RTI Act, they kept quiet.

10. Right to seek information from a public authority if the information falls within the purview of Section 2(h) of RTI Act, is not only a statutory right, but a part of Article 21 of the Constitution of India, since the right to life also includes the right to know. Had the petitioner been given the information in the year 2023 itself, the necessity for an appeal to the second respondent, and



further appeal to the first respondent, and this writ petition itself would have been rendered unnecessary.

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11. The first respondent having given a positive direction to disclose the information, ought to have verified whether the second respondent had communicated the information to the petitioner. On a mere receipt of an email from the third respondent, the complaint ought not to have been closed. The first respondent had rightly passed an order directing the respondents 3 and 4 to disclose the information. Once such an order is passed, it remains the duty of the first respondent to ensure that the order is complied in its letter and spirit. The first respondent, on account of the heavy workload, seems to have recorded compliance, on the basis of the email issued by the third respondent. If a little more care had been shown by the first respondent, it would have come to its notice that the relevant information sought for had never been furnished to the writ petitioner. That itself amounts to a violation of the order passed by the Commissioner on 31.08.2023. At this stage, since the information by the petitioner as sought had been given, setting aside the order and remitting the matter to the first respondent for reconsideration would be an empty formality. However, the action of the third respondent in sitting on the file is not appreciated by this Court.

12. Since the information has been furnished though the order of the first



respondent impugned in this writ petition, which ought to have been interfered with, for the reasons stated above, I am not interfering with the same. For the mental and physical harassment and hardships that the petitioner has undergone, the third respondent shall ensure that a sum of Rs.10,000/- is paid to the petitioner within a period of two weeks from today. The second respondent shall recover this amount from the officer, who was holding the post of the third respondent, in the year 2023.

13. Writ petition is ordered in the above terms with a cost of Rs.10,000/- to be paid by the second respondent to the petitioner at first instance. He will be entitled to recover the same from the person who was responsible for the delay for furnishing irrelevant information.

14. Call for compliance of payment of cost after two weeks.

12-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

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V.LAKSHMINARAYANAN, J.

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