



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-04-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

Writ Petition No.8971 of 2026

G.Sundarmoorthy
S/o.Govindasamy

..Petitioner

Vs

1. The Director of Survey and Land Records,
Government of Puducherry,
Revenue Complex,
Saram, Puducherry - 605 013.
2. The Public Information Officer cum
Settlement Tahsildar,
Directorate of Survey and Land Records,
Puducherry - 605 013.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order dated 24.01.2026 passed by the first respondent viz., the Director of survey and Land Records vide No.1011/F.A.No.37/25/RTI-Appeal /2018 and to quash the same as illegal and consequently, direct the 2nd respondent to furnish the information as sought for based on petitioner's application dated 05.11.2025.

For Petitioner : Mr.T.R.Sivaraman

For Respondents: Mr.R.Sreedhar,
Additional Government Pleader (Pondy)



ORDER

This writ petition has been filed without exercising the statutory appellate remedy available before the Central Information Commission under the Right to Information Act.

2. The petitioner himself has admitted in paragraph No.15 of the affidavit filed in support of this writ petition that a second appeal lies before the Central Information Commission as against the impugned order. The following facts are not disputed:

- a) the original authority, namely, the second respondent under the Right to Information Act has rejected the petitioner's application on the ground that the queries sought for by the petitioner are interrogative in nature and therefore, they cannot be answered under the Right to Information Act.
- b) The first appellate authority, namely, the first respondent has also upheld the order of the second respondent by giving the very same reason.

3. Instead of filing the second appeal before the Central Information Commission, the petitioner has chosen to file this writ petition on the ground that no proper reason has been given by the respondents for refusing the information sought for by the petitioner under the Right to Information Act. Having chosen to file the first appeal before the first respondent and the first



respondent having upheld the order of the second respondent giving the very same reason for rejecting the petitioner's request, necessarily the petitioner will have to file a second appeal before the Central Information Commission as per the provisions of the Right to Information Act. Having not exercised the statutory appellate remedy available to the petitioner under the Right to Information Act, the question of interfering with the impugned order through this writ petition at this stage by this Court does not arise.

4. For the foregoing reasons, this Court directs the petitioner to approach the Central Information Commission as against the impugned order passed by the respective respondents by filing a second appeal as per the provisions of the Right to Information Act within a period of fifteen (15) days from the date of receipt of a copy of this order. The Central Information Commission shall entertain the said second appeal, if the same is filed within the stipulated time as directed by this Court and shall decide the matter on its own merits and in accordance with law by passing a final order in the second appeal within a period of eight (8) weeks from the date of presentation of the second appeal by the petitioner. While passing the final order, the Central Information Commission shall give due consideration to the grounds raised by the petitioner in the second appeal.



ABDUL QUDDHOSE, J.

gm

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This writ petition is disposed of with the above direction. No costs.

10-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

gm

To

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