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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

**DATED: 23-10-2026**

CORAM

**THE HON'BLE MR JUSTICE G.R.SWAMINATHAN**

**WP(MD) No. 30437 of 2026**

CNR:{HCMD011530672026}

**and**

**WMP(MD) No. 23261 of 2026**

M.Abishek
S/o.Murugesan,
No.11, Madakulam Main Road,
Madakulam,
Madurai – 625 003.

..Petitioner(s)

Vs

The Senior Superintendent
Railway Mail Service,
RMS "MA" Division,
Madurai – 625 001.

..Respondent(s)

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to preserve and furnish the CCTV footage recorded on 06.10.2026 at the RMS Postal Office, Madurai – 625 001, particularly, the footage covering the entrance Postal booking counters and other relevant areas pursuant to the petitioner's representation dated 12.10.2026 for the purpose of identifying the person or persons who booked the alleged fabricated complaint in the name of the petitioner's father and enabling the petitioner to initiate appropriate legal proceedings against the person responsible for the same within a time frame fixed by this Court.



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For Petitioner(s): Ms.M.Nandhini Priyadharshini

For Respondent(s): Mr.V.Malaiyendran
Central Government Standing Counsel

**ORDER**

Heard both sides.

2.The writ petitioner is a practising advocate. His father, Murugesan, is said to be missing. While so, complaints have been received in the name of his father against the petitioner and other members of the family. The complaints are, to say the least, in very poor taste. One such complaint was dispatched through the Madurai RMS Post Office on 06.10.2026.

3.The petitioner submits that if the CCTV footage maintained by the respondent is made available to him, it would help him to unravel the truth and identify the mischief-monger.

4.The learned Central Government Standing Counsel for the respondent submits that information can be furnished only in terms of Clause 152 of the Postal Manual and not otherwise.



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5.We are living in the RTI age. Clauses restricting the furnishing of information that were incorporated in the Postal Manual aeons ago cannot be literally or mechanically applied any longer. If one's rights have been breached, he is entitled to seek legal remedy. If one can criminally prosecute the person responsible for such breach and the identity of such person can be established only with the material available with the State, it is the duty of the officials to furnish such material to the affected person. If such a material is withheld, the right to prosecute would be frustrated. The authority would be justified in refusing to part with the information only under certain circumstances. Those circumstances have to be exceptional and fall within Section 8 of the RTI Act, 2005. Section 3 of the said Act reads that *all citizens shall have the right to information.* Section 22 of the said Act reads as follows:-

> "**Act to have overriding effect.—**The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in the Official Secrets Act, 1923 (19 of 1923), and any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act."

Therefore, the restrictive clauses in the Postal Manual will have to give way.

6.The petitioner's name has been tarnished by a series of



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pseudonymous complaints made against him. Unless the CCTV footage is made available, the petitioner cannot identify the person sending such complaints. A complaint has been lodged with the Koodal Nagar Police Station. Unless the said complaint is backed by material, the police officer will not take any action. Section 2(j)(iv) of the Act states that right to information includes the right to obtain information in the form of diskettes, floppies, tapes, video cassettes or in any other electronic mode or through printouts where such information is stored in a computer or any other device. CCTV footage would obviously fall within the aforesaid expression. It can very well be furnished in a pen drive. I, therefore, direct the respondent herein to make available the CCTV footage recorded on 06.10.2026 to the petitioner within two weeks from the date of receipt of a copy of this order. The petitioner has to bear the cost incurred by the authority for furnishing such information in a pen drive.

7.This Writ Petition is allowed accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

**23-10-2026**

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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To

The Senior Superintendent
Railway Mail Service,
RMS MA Division,
Madurai - 625001.



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**G.R.SWAMINATHAN, J.**

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