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W.P.(MD)NO.15513 OF 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 04.01.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.15513 of 2020 AND

W.M.P.(MD)Nos.13022 & 13023 of 2020

V.A.Anand

... Petitioner

Vs.

1. The State Information Commissioner,
Tamil Nadu Information Commission,
No.2, Thiyagarayar Salai(Near Aalaiamman Kovil),
Eldams Road Junction,
Teynampet, Chennai – 600 018.
2. The Registrar and the Appellate Authority,
Alagappa University,
Karaikudi, Sivagangai District – 600 003.
3. The Deputy Registrar and the Public Information Officer,
Alagappa University,
Karaikudi, Sivagangai District – 600 003.
4. A.V.Suganya

... Respondents



Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the order of the 1st respondent made in the Case No.SA/12467/D/2019 dated 20.10.2020 and to quash the same and consequently forbear the respondents 1 to 3 from furnishing any personal and private information about the petitioner to the 4th respondent in any manner .

For Petitioner : Mr.S.Abubacker Sidhic
For R-1 : Mr.K.K.Senthil,
Standing counsel.
For R-2 & R-3 : Mr.T.Cibi Chakraborty
For R-4 : Mr.P.T.S.Narendravan

* * *

ORDER

The learned counsel who filed writ petition reports no instruction. He states that the petitioner has taken back the bundle. The petitioner has not made any alternative arrangement.

2. The petitioner is none other than the husband of the fourth respondent. Matrimonial proceedings are pending between them. The fourth respondent has sought the relief of maintenance from the petitioner. For effectively pursuing her claim, she needed certain basic



service details pertaining to the petitioner. She applied to the employer for furnishing the said information. Since the petitioner has raised objection, the employer did not furnish the information sought for by the fourth respondent. The appellate authority also declined to interfere. The fourth respondent therefore filed second appeal before the State Information Commission. By the impugned order, the State Information Commissioner directed the employer to furnish the information sought for by the fourth respondent. Challenging the same, the present writ petition came to be filed.

3. I am more than satisfied that the first respondent had passed an appropriate order. In the facts and circumstances of the case, the fourth respondent herein cannot be called as third party. When the matrimonial proceedings are pending between them, the fourth respondent does require certain basic details. The quantum of maintenance payable to the fourth respondent will depend upon the salary received by the petitioner. Unless the fourth respondent knows the quantum of salary received by the petitioner, she cannot make her rightful claim.



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4. The learned Standing counsel appearing for the Commission

draws my attention to the order dated 15.05.2018 passed by the High Court of Madhya Pradesh in W.A.Nos.168 and 170 of 2015 (***Sunita Jain V. Pawan Kumar Jain and Others***). It was held therein that the wife is entitled to know what remuneration her husband is getting from the employer. The impugned order is sustained. This writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

04.01.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes/ No

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G.R.SWAMINATHAN,J.

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