



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

DATED THIS THE 19<sup>TH</sup> DAY OF JANUARY, 2023

BEFORE

THE HON'BLE MR JUSTICE M.NAGAPRASANNA

**WRIT PETITION NO. 16575 OF 2022 (GM-RES)**

**BETWEEN:**

SRI CHELUVARAJU  
S/O LATE CHENNARAJU

...PETITIONER

Digitally signed  
by  
PADMAVATHI  
B K

Location: HIGH  
COURT OF  
KARNATAKA

(BY SRI RAJAKUMAR M.,ADVOCATE)

**AND:**

1. INFORMATION COMMISSIONER  
CENTRAL INFORMATION COMMISSION,  
BABA GANG NATH MARG,  
MUNIKRA,  
NEW DELHI-110067.
2. THE DIRECTOR  
GOVERNMENT OF INDIA  
MINISTRY OF HOUSING AND  
URBAN AFFAIRS  
GOVERNMENT OF INDIA  
TEXT BOOK PRESS  
M. M. ROAD, MYSORE-570011  
KARNATAKA.



3. APPELLATE AUTHORITY(RTI)  
DEPUTY DIRECTOR(PRINTING)  
MINISTRY OF HOUSING AND URBAN AFFAIRS  
DIRECTORATE OF PRINTING,  
B-WING, NIRMAN BHAVAN  
NEW DELHI-110011.

...RESPONDENTS

(BY SRI ADITHYA SINGH, CGC)

THIS WRIT PETITION FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DECLARE THAT THE AFFIDAVIT FILED BY THE 2<sup>ND</sup> RESPONDENT AT ANNEXURE-K DATED 07.06.2022 BEFORE THE CENTRAL INFORMATION IS BAD IN LAW AND FURTHER DIRECTED THE 3<sup>RD</sup> RESPONDENT TO TAKE SERIOUS ACTION AGAINST 2<sup>ND</sup> RESPONDENT BY CONDUCTING AUDIT ENQUIRY ON FINANCIAL IRREGULARITIES IN THE OFFICE OF 2<sup>ND</sup> RESPONDENT FOR FAILING TO SAFEGUARD THE PUBLIC MONEY.

THIS WRIT PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, THE COURT MADE THE FOLLOWING:

**ORDER**

Heard the learned counsel for the petitioner, Sri Rajakumar.M., and the learned counsel for the respondents, Sri Aditya Singh.



2. The petitioner is before this Court seeking the following prayer:

- a) *A Writ declaring that the affidavit filed by the 2<sup>nd</sup> respondent at Annexure-before the Central Information Commission is bad in law and further direct the 3<sup>rd</sup> Respondent to take serious action against 2<sup>nd</sup> respondent by conducting audit enquiry on financial irregularities in the office of 2<sup>nd</sup> respondent for filing to safeguard the public money.*
- b) *Issue any other writ, order or direction as this Hon'ble Court deems fit on the facts and circumstances of the case, to meet the ends of justice.*

3. The prayer that is sought in the writ petition is to declare an affidavit filed by the second respondent, the Government of India, the Ministry of Housing and Urban Affairs to be bad in law. In effect, the petitioner seeks a writ at the hands of this Court to set aside the affidavit filed by the second respondent before the Central Information Commission. The Central Information



Commission before whom the petitioner had filed an application under the Right to Information Act, 2005 seeking certain information is dismissed, taking note of the affidavit that is filed by the second respondent.

4. The petitioner does not challenge the said order passed by the Central Information Commission, but in turn, challenges the affidavit filed by the second respondent before the Commission. The prayer that is sought is preposterous to say the least. Answering the writ in the nature of the prayer that is sought would be glorifying preposterousness. Therefore, the petition deserves to be rejected and is accordingly rejected.

**Sd/-  
JUDGE**

DH