

**IN THE COURT OF THE JUDICIAL MAGISTRATE No.II, AT  
CHENGALPATTU**

**Present:- Tmt. S. Sahaana, M.A., M.L., MA.,  
Judicial Magistrate No.II, Chengalpattu.**

**Monday, the 18<sup>th</sup> day of May 2026**

**CrI.M.P.No. 1474 of 2025**

Paramasivam, Aged about 53 years,  
S/o. M.K. Venugopal  
No.91/4, 2<sup>nd</sup> Street,  
Kamarajar Nagar, (Melamaiyur Panchayat),  
Chengalpattu Taluk and District – 603 001.

.... Petitioner

-vs-

Inspector of Police,  
Chengalpattu Taluk Police Station,  
Chengalpattu District – 603 001.

.... Respondents

This case came up for final hearing on 18.05.2026, in the presence of M/s. V. Paramasivam, Party in Person. Upon hearing arguments and upon perusing the records and having stood over till this day for the consideration of this Court, this Court delivered the following:-

**ORDER**

1. This Petition is filed by the Petitioner seeking the relief under section 175(3) BNSS 2023 to register a FIR on the complaint.

**2. Brief averment of the Petition filed by the Petitioner is as follows:**

The Petitioner herein does public service and he is the chief of the Thirumani Makkal Nalasangam. On 02.03.2023, he lodged a complaint as against Tmt. Sivasangari VAO as per procedure. No action was taken. On 20.03.2023, he lodged a complaint as against Ramamoorthi VAO, Thirumani through Grevence cell. No action was taken. He received information through Right to Information Act 2005. As per Section 6(1) of RTI Act 2005,

he asked for information about the actions taken on the grievance petition. Based upon the information given by Thiru. Arivurainambi dated 18.01.2024, that no team was made and 213 complaints were filed as against VAOs and the complaints were forwarded to Revenue Tasildar and Sub Collector for actions. Based upon the information, the Petitioner filed Contempt application as per Section 12 of Contempt of Court Act 1971 and issued notice dated 31.07.2024. On 19.08.2024, sent reply mentioning that grievance cell dated 18.02.2020 was established. Eventhough, they know about the cell, false information was given to the Petitioner. Therefore, Thiru. ArivudaiNanbi, District collector has committed offence punishable under Section 167, 198, 201 IPC. On 07.01.2024, he lodged a complaint to the Inspector of Police at Chengalpattu and the same was received on 12.10.2024, no action was taken and on 31.12.2024, lodged a complaint to SP, but no action was taken. On 28.10.2024, he sent a petition as per section 197 Cr.P.C. to Principal Secretary and Commissioner. On 29.10.2024, they received and no reply was sent. 120 days have lapsed and so previous sanction has been deemed to be given. Hence the Petition.

**3. Brief averment of the Reply filed by the Respondent Police is as follows:**

The Petitioner is an Rowdy History sheet No. 03/2024 and many cases are pending as against the Petitioner in various Police Station. The Petitioner is in the habit of giving false complaint as against the Government Officials. The Petitioner filed this Petition as against the VAO Tmt. Sivasankari, who did not work in favour of the Petitioner. The Petitioner filed this Petitioner with false allegation. Hence, this Petition may be dismissed.

**4. Points for determination:**

**Whether the Petition filed by the Petitioner seeking relief of registration of FIR on his complaint can be allowed or not?**

**5. Discussion:**

The petitioner appeared as party in person. He has filed the present complaint alleging that the Public Information Officer furnished incorrect information in response to

the application submitted under the Right to Information Act, 2005, and seeks to prosecute the concerned officer for the alleged offences under Sections 201, 234 and 238 of the Bharatiya Nyaya Sanhita, 2023.

6. The grievance of the complainant is that the information supplied by the Public Information Officer is incorrect and misleading. According to the complainant, furnishing such wrong information attracts the aforesaid penal provisions.

7. At the outset, it is necessary to note that the action complained of, arose out of the discharge of statutory duties by the Public Information Officer under the Right to Information Act, 2005.

**Section 21 of the RTI Act** provides protection to officers for acts done in good faith under the Act, which reads as follows:

*“No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act or any rule made thereunder.”*

8. The Right To Information Act, 2005 itself provides a complete statutory mechanism to address grievances relating to refusal of information, delay, or supply of incorrect or misleading information. The applicant has the remedy of filing a first appeal under Section 19(1) before the designated Appellate Authority and thereafter a second appeal under Section 19(3) before the Information Commission. Further, under Section 20 of the Right To Information Act, 2005, the Information Commission is empowered to impose penalty upon the Public Information Officer, if it is found that the officer has knowingly given incorrect, incomplete or misleading information.

9. In the present complaint, the allegation essentially relates to supply of incorrect information under the Right To Information Act, 2005. Such grievance, by itself, falls within the statutory framework provided under the Right To Information Act, 2005. Unless there are clear allegations and materials showing deliberate fabrication of records or intentional falsification of official documents, the protection under Section 21 of the Right

To Information Act, 2005 operates in favour of the officer acting in the discharge of his statutory duties.

10. In the case on hand, the complaint does not disclose specific material to show that the accused officer intentionally fabricated records or committed any act attracting the penal provisions cited by the complainant. The dispute essentially concerns the correctness of information supplied under the Right To Information Act, 2005, for which the appropriate remedy lies before the appellate authorities constituted under the RTI Act.

11. In view of the statutory protection under Section 21 of the Right to Information Act, 2005, and the availability of a specific remedial mechanism under the said Act, this Court is of the view that entertaining the present criminal complaint would not be proper. Since the complaint itself is legally not maintainable, this Court finds no necessity to accede the request of petitioner in consequence, this Petition is dismissed at the threshold.

**12. In the result, this Petition is dismissed at the threshold.**

**Dictated to the Typist directly, typed by her, corrected and pronounced by me on this 18<sup>th</sup> day of May 2026.**

**Judicial Magistrate No.II,  
Chengalpattu.**

**The Petitioner side witnesses: Nil.**

**The Petitioner side documents: Nil.**

**Judicial Magistrate No.II,  
Chengalpattu.**