



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE MOHAMMED NIAS C.P.

THURSDAY, THE 23RD DAY OF JANUARY 2025 / 3RD MAGHA, 1946

RP NO. 185 OF 2023

AGAINST THE ORDER/JUDGMENT DATED 12.08.2022 IN WP(C) NO.12774
OF 2014 OF HIGH COURT OF KERALA

REVIEW PETITIONERS/PETITIONERS:

- 1 THE STATE PUBLIC INFORMATION OFFICER
REGIONAL OFFICE OF THE KERALA PUBLIC SERVICE
COMMISSION, ERNAKULAM, PIN - 682011
- 2 THE APPELLATE AUTHORITY AND ADDITIONAL SECRETARY
(RECRUITMENT)
KERALA PUBLIC SERVICE COMMISSION, THIRUVANANTHAPURAM,
PIN - 695004

BY ADV P.C.SASIDHARAN

RESPONDENTS/RESPONDENTS:

- 1 THE STATE INFORMATION COMMISSION KERALA
THIRUVANANTHAPURAM,
REPRESENTED BY ITS SECRETARY, PIN - 695001
- 2 FIROZ KT
KARATTUTHODI HOUSE,
MANNARMALA P.O., MALAPPURAM, PIN - 679325

BY ADV GOVERNMENT PLEADER

OTHER PRESENT:

SMT.SURYA BINOY, SR.GP, SRI.M.AJAY, SC

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON
23.01.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:



MOHAMMED NIAS C.P, J.

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R.P No. 185 of 2023

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Dated this the 23rd day of January, 2025

ORDER

The review petition is filed against the judgment passed by this Court on 12.08.2022 in W.P.(C) No. 12774 of 2014, disposing of the writ petition based on the judgment in the Apex Court in *Kerala Public Service Commission and Others v. State Information Commission and Another (2016 (1) KHC 533)*. The learned Standing Counsel for the Public Service Commission brought to my attention paragraph 9 of the Apex Court judgment referred to above.

2. The Apex Court was considering a case where the request made by a candidate with respect to the identity of the examiners after the entire selection was over. The Apex Court also held that there is a fiduciary relationship is established between the PSC and the Examiners and therefore, any information shared between them is not liable to be disclosed. It is also stated that the information seeker has no role to play in this and there is no logical reason as to how the same will benefit him or the



public at large. It is further stated that the disclosure of the identity of Examiners is in the least interest of the general public and the attempt to reveal the examiner's identity will give rise to dire consequences.

3. Sri. P.C. Sasidharan, the learned Counsel for the petitioner, points out that the query in this case was to give the list and the address of the Muslim candidates included in the list, which cannot be granted. Since this Court did not consider these aspects, the judgment dated 12.08.2022 in W.P.(C) No. 12774 of 2014 is recalled.

The review petition is allowed.

Sd/-

MOHAMMED NIAS C.P

JUDGE

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