



W.P.(MD)No.18034 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 06.10.2023

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.(MD)No.18034 of 2020

Gunasekaran, S/o.Venkatraman

.. Petitioner

Versus

- 1.The Additional Secretary to Government,
Department of Rural Development and
Panchayat Raj of State of Tamil Nadu,
Fort St. George, Chennai - 600 009.
- 2.The Director of Rural Development and Panchayat Raj,
Directorate of Rural Development and Panchayat Raj,
Panagal Maligai, 4th and 5th Floor,
Razzak Street, Saidapet,
Chennai - 600 015.
- 3.The Chief Election Commissioner,
Office of the Chief Election Commissioner,
No.208/2 Jawaharlal Nehru Salai,
Opposite to Koyambedu Bus Stand,
Arumpakkam, Chennai - 600 106.
- 4.The District Election Officer/District Collector,
Thanjavur District,
Thanjavur.
- 5.Mythili,W/o.Karthikeyan

.. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Mandamus, directing the respondents to take



W.P.(MD)No.18034 of 2020

appropriate action under the representation of the People Act, 1951 as against the 5th respondent for the suppression of the facts and giving the false information in the nomination form and declare the result dated 02.01.2020, electing the 5th respondent as the President of the Varagur Village Panchayat as null and void and consequently, direct the respondents to conduct fresh election for the Varagur Village Panchayat of the Thanjavur District.

For Petitioner	:	Ms.Vilma Raxy for Mr.M.R.Sreenivasan
For R1 to R4	:	Ms.D.Farjana Ghoushia Special Government Pleader
For R5	:	Mr.S.Vellaichamy

ORDER

This Writ Petition has been filed for taking appropriate action against the fifth respondent for suppression of facts and for giving false information in the nomination form and to declare the result dated 02.01.2020, electing the fifth respondent as the President of the Varagur Village Panchayat, as null and void.

2. In the considered view of this Court, the present Writ Petition is totally misconceived. The election of the President of the Panchayat can only be challenged by way of filing an Election Petition before the concerned Court and a Writ Petition can never be maintained.



W.P.(MD)No.18034 of 2020

3. In view of the same, this Writ Petition stands dismissed. No costs.

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NCC : Yes/No
Index : Yes/No
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06.10.2023

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W.P.(MD)No.18034 of 2020

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W.P.(MD) No.18034 of 2020

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