



W.P.No.7710 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.08.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.7710 of 2026
and W.M.P.Nos.8324 and 8325 of 2026

Dr.M.Ramadas
Formerly Member of Parliament
(Lok Sabha) and President
Puducherry Maanila Makkal
Munnetra Kazhagam,
Lakshmi Illam, 31, VVP Nagar,
Thattanchavadi,
Puducherry-605 009

Petitioner

Vs

1.The Government of Puducherry
Rep. by Chief Secretary to Government
Goubert Avenue,
Chief Secretariat,
Puducherry 605 001

2.The Secretary to Government
Local Administration
Chief Secretariat,
Goubert Avenue,
Puducherry



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3.The State Election Commission
Rep. by its Secretary
Election Building 3rd & 4th Floor,
Villianur Main Road,
Reddiyarpalayam, Puducherry

4.The Election Commission of India
Rep. by its Secretary,
Nirvachan Sadan, Ashoka Road,
New Delhi 110 001

5.The Ministry of Home Affairs
Rep. by its Secretary,
North Block, Central Secretariat,
New Delhi 110 001

Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the 3rd respondent to notify and conduct Local Body Elections in the Union Territory of Puducherry.

For Petitioner: Mr.M.Gnanasekar

For Respondents: Mr.V.Vasanthakumar
Addl. Government Pleader
(Puducherry) for R1 to R3

Mr.Niranjan Rajagopalan
for R4

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

This writ petition filed under Article 226 of the Constitution of India seeks a direction to the third respondent to notify and conduct



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local body elections in the Union Territory of Puducherry.

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2. The case of the petitioner is that the local body elections in Puducherry has not been conducted for more than 14 years and the One Man Commission appointed by the Government on 17.12.2021 to assess the nature and implications of other backwardness qua local bodies and to ascertain the proportion of population of other backward class of citizens in rural and urban areas ward wise within a period of six months, i.e. on or before 16.06.2022, has not submitted its report for more than four years. In this regard, the petitioners submitted several representations to the State Election Commission and the same have not been considered till date.

3. Learned counsel for the petitioner submitted that the action of the respondents in not conducting the local body elections in Puducherry is in violation of Articles 243E and 243U of the Constitution of India, apart from violation of Article 14, inasmuch as the people of Puducherry are arbitrarily denied the elected local governance and the action of the respondents would also result in violation of Article 21 of the Constitution of India and that the people living in the Union of Territory of Puducherry are denied of their constitutional right to



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participate in democracy which forms of integral part of right to life.

Since the respondent authorities are constitutionally bound to conduct local body elections, learned counsel prayed for suitable directions to the respondent authorities to conduct local body elections at the earliest.

4. Taking us through the counter-affidavit filed by respondents 1 and 2, learned Additional Government Pleader (Puducherry) submitted that the Government of Puducherry is conscious of the constitutional importance of elected local bodies and it has no intention to postpone or delay local body elections, however, the conduct of local body elections must necessarily be preceded by a legally sustainable reservation framework. He would submit that the One Man Commission has submitted its report to the Government and the Government is actively progressing the matter.

5. Learned Additional Government Pleader (Puducherry) further submitted that the office of the State Election Commission is now vacant and upon finalisation of the reservation framework, the same will be transmitted to the State Election Commission for allotment and rotation of reserved wards and will take consequential steps for



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conduct of local body elections in accordance with law, for which, the Government of Puducherry prays for 24 months time.

6. We have considered the rival submissions and perused the materials available on record.

7. The petitioner, through this public interest litigation, sought a direction to the State Election Commission to conduct local body elections in the Union Territory of Puducherry at the earliest. In the affidavit filed in support of the writ petition, the petitioner averred that the One Man Commission has not submitted its report. On the contrary, in the counter-affidavit filed by respondents 1 and 2, it has been stated as under:

"29. I submit that the constitution of the Justice K.K.Sasidharan Single Member Commission was necessitated by the law laid down by the Hon'ble Supreme Court regarding OBC reservation in Local Bodies. The allegation that the Commission was used as an ingenious device to delay Local Body Elections is false, baseless and denied. The Commission undertook a comprehensive Door-to-Door Enumeration across the Union Territory and submitted its final report on 13.03.2026. The time taken by the Commission was



attributable to the absence of authenticated OBC population data, non-availability of 2021 Census data, the scale of the Door-to-Door Enumeration, the need for ward-wise and Local Body-wise verification and the preparation of separate recommendations for Municipal Councils, Commune Panchayat Councils and Village Panchayats."

8. Thus, it is clear that the One Man Commission has submitted his report and the same reached the Government on 13.03.2026. The delay after the receipt of the Commission's report has been explained by respondents 1 and 2 in the counter-affidavit as under:

"32. The delay after receipt of the Commission's report is attributable to the operation of the Model Code of Conduct, deployment of officers and staff on election duty, the voluminous and confidential nature of the report, the need to consolidate fifteen Local Body reports and 108 Village Panchayat recommendations, the need to verify constitutional and statutory compliance and the need to identify and resolve discrepancies before placing the matter before the Council of Ministers."

9. Learned Additional Government Pleader (Puducherry) submitted that the report of the Commission requires detailed scrutiny before any final reservation notification is issued.



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10. As rightly pointed out by learned Additional Government Pleader (Puducherry) the conduct of local body elections must necessarily be preceded by a legally sustainable reservation framework and upon finalisation of the reservation framework, the same will be transmitted to the office of the State Election Commissioner, which office is, admittedly, now vacant.

11. As the affidavit of respondents 1 and 2 explicitly records that earnest steps in this regard are being taken, we record the same and dispose of the writ petition. Though respondents 1 and 2 sought 24 months to complete the entire exercise and conduct the local body elections, we only record that the said respondents shall put in every effort to ensure that the entire process is completed as expeditiously as possible. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

(SUSHRUT ARVIND DHARMADHIKARI, CJ) (G.ARUL MURUGAN,J)
07.08.2026

Index : Yes/No
Neutral Citation : Yes/No
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To:

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Government of Puducherry
Goubert Avenue,
Chief Secretariat,
Puducherry 605 001
- 2.The Secretary to Government
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- 3.The Secretary, State Election Commission
Election Building 3rd & 4th Floor,
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