

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2015

CORAM:

THE HONOURABLE MR. SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

WRIT PETITION NO. 21627 OF 2011

and

M.P.No.1 of 2011

Y.A. Nathan

... Petitioner

vs.

1. The Government of Tamil Nadu
rep. by its Secretary
Home Department
St. George Fort, Chennai 600 009.

2. The Secretary
Municipal Administrative and Water
Supply (Election) Department
Chennai.

3. The Commissioner
Chennai City Municipal Corporation
Ripon Building, E.V.R. High Road
Chennai-3.

4. The State Election Commissioner
Election Commission of Tamilnadu
Chennai.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records from the respondent pertaining to the impugned notifications No.315 dated 08.09.2011 issued by the 3rd respondent, quash the same and consequently direct the 3rd respondent to reserve the seats for the Scheduled Caste in view of Sections 3 and 45 of the Madras City Municipal Corporation Act, 1919 and Article 243T of the Constitution of India.

For Petitioner : Mr. P. Vijendran
For Respondents : Mr. S.T.S. Murthi
Govt. Pleader R1, 2 & 4
Mr. K. Soundararajan for R3.

O R D E R
(Made by The Hon'ble The Chief Justice)

The petitioner's grievance arises from failure to take action to extend the number of reserved seats on the territorial area of the third respondent-Corporation being extended. It is the case of the petitioner that there were 155 divisions before delimitation, which have now been raised to 200. This, in turn, as per the petitioner, requires increase of seats for the Scheduled Caste Community contemplated under Sections 3 and 45 of the Madras City Municipal Corporation Act, 1919, read with Article 243T of the Constitution of India. However, the impugned proceedings dated 08.09.2011 did not comply with this requirement.

2. No counter affidavit has been filed in this petition and the stand of the respondents is also not known. The petitioner also did not make any representation.

3. We, thus, consider it appropriate to direct the respondents-authorities to treat the petition itself as a representation and considered decision be taken by the respondents-authorities within one month from the date of receipt of the order.

4. The writ petition accordingly stands disposed of. No costs. Consequently, M.P. No.1 of 2011 is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ATR

Copies to;

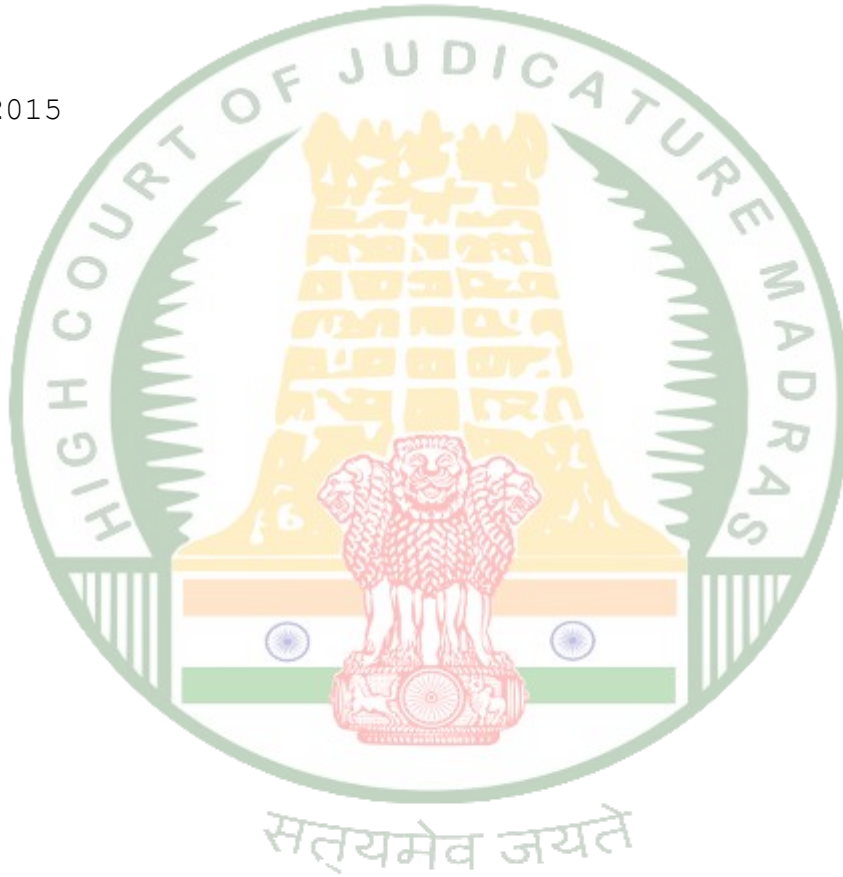
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+ 1 cc to Mr.P. Vijendran, Advocate SR.10101
+ 1 cc to M/s. K. Soundararajan, Advocate SR.10390
+ 1 cc Government Pleader Sr.10359

W.P. No. 21627 of 2011

SAI (CO)
EU 06.03.2015



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