

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:07.09.2015

CORAM

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

W.P.No.3613 of 2014

A.Mariammal

.. Petitioner

vs.

1. The Secretary,
Tamil Nadu State Election Commission,
No.202/2, Jawaharlal Nehru Road,
Arumbakkam,
Chennai-106

2. The Commissioner,
Kundrathur Panchayat Union at
Padappai, Chennai

.... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to pass orders on the representation dated 19.11.2012 on merits and as per law within a time to be stipulated by this Court.

For Petitioner : Mr.L.Chandrakumar

For respondents : Mr.Elenchezian for R1
Mr.N.Sakthivel,G.A.for R2

ORDER

Heard the learned counsel for the petitioner and counsel for the Tamil Nadu State Election Commission and the learned Government Advocate on behalf of the second respondent.

2. The petitioner filed nomination for contesting the election at Kundrathur Panchayat Union in Ward No.1 and Ward No.4. She was declared elected from Ward No.4, but however defeated in Ward No.1. Since she contested from two Wards simultaneously, the first respondent issued a show cause notice on 7.11.2012. The petitioner appears to have submitted her reply on 19.11.2011. It is the grievance of the petitioner that further action was not taken by the first respondent and as such, she is denied of an opportunity to serve as a member of Ward No.4 of Kundrathur Panchayat Union.

3. The first respondent is directed to consider the explanation submitted by the petitioner, pursuant to the notice dated 7.11.2012 and pass appropriate orders on merits and as per law as expeditiously as possible and in any case, within a period of four weeks from the date of receipt of a copy of this order.

4. The writ petition is disposed of with the above direction. No costs.

msk

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

1. The Tamil Nadu State Election Commission,
No.202/2, Jawaharlal Nehru Road,
Arumbakkam,
Chennai-106
 2. The Commissioner,
Kundrathur Panchayat Union at
Padappai, Chennai
- + 1 cc to Mr.L.Chandrakumar, Advocate SR 48509
- + 1 cc to Govt.Pleader SR 48982

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W.P.No.3613 of 2014

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