

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WP.No.22302/2015

S.Parthiban

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Petitioner

Versus

- 1.The Chief Election Commissioner
Local Body Election Commission,
Head Office at No.208/2, Jawarlal
Nehru Road, [100 Feet Road], Vadapalani
Chennai 106.
- 2.The District Collector
Chennai District, Chennai-1.
- 3.The Commissioner,
Corporation of Chennai, Rippon Building
Chennai-3.
- 4.The Council Secretary
Corporation of Chennai, Rippon Building
Chennai-3.
- 5.The Returning Officer
Ward No.140, Zone-X,
Corporation of Chennai, Chennai-15.
- 6.The Assistant Returning Officer
Ward No.140, Zone-X,
Corporation of Chennai, Chennai-15.
- 7.The Assistant Revenue Officer
Ward No.140, Zone-X,
Corporation of Chennai, Chennai-15.

8.Mr.N.Bhaskaran

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Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 4th respondent to take appropriate action against the 8th respondent by implementing the

order of the 1st respondent in his proceeding in Na.Ka.No.ME1/1621/2015-2 dated 02.07.2015 after giving affordable opportunity to the 8th respondent.

For Petitioner : Mr.A.Ilaya Perumal
For R1 : Mr.B.Nedunchezhiyan
For R2 : Mr.S.V.Duraisolaimalai, AGP
For RR 3 to 7 : Mr.P.V.Selvakumar

ORDER

By consent, the writ petition is taken up for final disposal.

2.The petitioner, on an earlier occasion, has approached this Court by filing WP.No.12173/2015 praying for issuance of a writ of mandamus, directing the 4th respondent herein to consider and pass orders on his representation dated 04.03.2015 and 17.03.2015 as the petitioner has leveled certain allegations against the 8th respondent. This Court, vide order dated 24.04.2015 has directed the 1st respondent to consider and dispose of the petitioner's representation dated 17.03.2015 in accordance with law, within the stipulated time, after putting on notice the persons concerned. Accordingly, the 1st respondent has conducted a detailed enquiry, passed an order dated 02.07.2015 holding that the 8th respondent, while contesting as a candidate, has suppressed the fact of the debts incurred by him and therefore, directed the 3rd respondent to take appropriate action and inform him. The grievance expressed by the petitioner is that in spite of such a direction, the 3rd respondent so far not taken any action. In this regard, the petitioner submitted a representation dated 07.07.2015 and since he has not been favoured with any kind of response, he came forward to file this writ petition.

3.Heard the submissions of the learned counsel for the petitioner ; Mr.B.Nedunchezhiyan, learned, learned counsel who accepts notice on behalf of the 1st respondent ; Mr.S.V.Duraisolaimalai, learned Additional Government Pleader who accepts notice on behalf of the 2nd respondent and Mr.P.V.Selvakumar, learned Standing counsel who accepts notice on behalf of the respondents 3 to 7.

4.Though the petitioner has sought for a larger relief, this Court, in the light of the facts and circumstances and without going into the merits of the petitioner's representation, directs the 3rd respondent to consider and dispose of the petitioner's representation dated 07.07.2015 in accordance with law after putting on notice the 8th respondent and pass orders within period of eight weeks from the

date of receipt of a copy of this order and communicate the decision taken to the petitioner as well as to the respondents 1 and 8.

5.The Writ Petition is disposed of accordingly. No costs.

Sd/-

Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

AP

To

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+1 cc to Mr.A.Ilayaperumal, Advocate, sr.37937

+1 cc to the Government Pleader, sr.38075.

gp(co)
kra(05/08)

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