



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.08.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

and

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Writ Petition (MD) No.4229 of 2014

M.Balamurugan

... Petitioner

Vs.

1.The State Election Commissioner,
100, Feet Road,
Vadapalani, Chennai.

2.The District Collector cum Inspector of Panchayats,
Dindigul District, Dindigul.

3.The Block Development Officer,
Nilakkottai Panchayat Union,
Nilakkottai, Dindigul District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to conduct by-election for the post of Panchayat President Silukkuvarpatti Village Panchayat, Nilakkottai Taluk, Dindigul District which is reserved for scheduled caste (General Category) on the basis of the representation of the petitioner dated 12.2.2014 within a time frame that may be stipulated by this Court.

For Petitioner	: Mr.R.R.Kannan
For Respondents 1&2	: Mr.B.Pugalenth, Special Government Pleader.
For 3 rd Respondent	: Mr.T.R.Janarthanan

ORDER

(Order of the Court was made by **R. SUDHAKAR, J.**)

The prayer in the writ petition is to direct the respondents to conduct by-election for the post of Panchayat President, Silukkuvarpatti Village Panchayat, Nilakkottai Taluk, Dindigul District which is reserved for scheduled caste (General Category) on the basis of the representation of the petitioner dated 12.2.2014.

2. Pursuant to the notice of this Court dated 11.03.2014, the first respondent has filed counter affidavit, wherein at paragraph - 9, it has been held as follows:



"It is submitted that the preliminary arrangements for the local body elections such as appointment of Returning Officers, Assistant Returning Officers and training of election personnel have all been completed. The State Election Commission has also instructed to prepare the electoral rolls of local bodies on the basis of assembly rolls. This work is now going on. Meanwhile, the notification for the conduct of General Election to Lok Sabha, 2014 was issued by the Election Commission of India and the election code of conduct is still in force. In the circumstances stated above, it is not possible to conduct the casual election to elect the President of Sillukkuvarpatti village panchayat till the process of election to Lok Sabha 2014 is completed. After the parliamentary elections are over, the local body elections will be conducted by due notification during proper time as per the relevant rules. Hence the request of the petitioner could not be considered at present and hence it may be rejected summarily.

3. Recording the same, this writ petition is closed. No costs.

Sd/-

Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

mj

To

1.The State Election Commissioner,
100, Feet Road,
Vadapalani, Chennai.

2.The District Collector cum Inspector of Panchayats,
Dindigul District, Dindigul.

3.The Block Development Officer,
Nilakkottai Panchayat Union,
Nilakkottai, Dindigul District.

+1CC to Spl.Government Pleader Sr.No.46901

GJM/NGM/SS/11.9.15-2P-5C

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