

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2016

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN

W.P.No.9020 of 2014

and

M.P.No.1 of 2014

S.Deenadayalan

.. Petitioner

Vs.

1.The Secretary,
Chennai Port Trust,
Chennai-600 001.

2.The President,
Welfare Committee,
Chennai Port Trust Housing Colony,
Tondiarpet,
Chennai-600 081.

3.The Election Officer &
Labour Welfare Officer,
General Administration Department,
Chennai Port Trust,
Chennai-600 001.

.. Respondents

The writ petition is filed under Article 226 of the Constitution of India praying for the issue of a writ of mandamus, directing the first respondent herein to cancel the Welfare Committee Ward member election in Chennai Port Trust Housing Colony, Tondiarpet, which was held on 16.3.2014 and to conduct re-election for Welfare Committee in the abovesaid Chennai Port Trust Housing Colony, Tondiarpet, Chennai-600 081, on the basis of the petitioner's representation, dated 17.3.2014.

For Petitioner : No appearance

For Respondents : Mr.R.Karthikeyan

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ORDER

There is no representation on behalf of the petitioner. Heard the learned counsel appearing on behalf of the respondents.

2 This writ petition has been filed by the petitioner, praying that this Court may be pleased to issue a Writ of Mandamus, directing the first respondent herein to cancel the election, conducted for

electing the Welfare Committee Ward Member, in the Chennai Port Trust Housing Colony, Tondiarpet, which had been held, on 16.3.2014, and to conduct re-election for the said Committee, based on the representation of the petitioner, dated 17.3.2014.

3 At this stage of the hearing of the writ petition, the learned counsel appearing on behalf of the respondents had submitted that the present writ petition has become infructuous, in view of the fact that the election had been conducted, based on the circular issued, on 1.3.2014, relating to the period 2014-16. Since the period for which the election was conducted had expired, the present writ petition has become infructuous. He had further submitted that the present writ petition is not maintainable, as the petitioner ought to have challenged the election, conducted for electing the Welfare Committee Ward member, in the Chennai Port Trust Housing Colony, Tondiarpet, for the period 2014-16, before the appropriate civil forum, if so advised.

4 In view of the said submissions made by the learned counsel appearing on behalf of the respondents, the writ petition is dismissed, as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Secretary,
Chennai Port Trust,
Chennai-600 001.

2.The President,
Welfare Committee,
Chennai Port Trust Housing Colony,
Tondiarpet,
Chennai-600 081.

3.The Election Officer &
Labour Welfare Officer,
General Administration Department,
Chennai Port Trust,
Chennai-600 001.

+1 cc to Mr.R.Karthikeyan, Advocate,sr.42367.

sr(co)
krd 11/8

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