

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE  
AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.17656 of 2016

Tranquebar Dorai Vasu

... Petitioner

-Vs-

1. The Chief Election Commissioner,  
Nirvachan Sadan, Ashoka Road,  
New Delhi 110 001.

2. The Electoral Officer,  
Tamil Nadu, Public (Elections) Dept.,  
Fort St. George, Chennai 600 009.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondents to frame Rules regarding the NOTA votes getting majority and regarding the casting of the votes by bed ridden people as contained in the representation of the petitioner dated 16.04.2016.

For Petitioner : Mr. Tranquebar Dorai Vasu  
Party-in-person

For Respondents : Mr. Niranjan Rajagopal  
for M/s.G.R. Associates

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The objective of filing the present petition as set forth by the petitioner and apparent from the order dated 11.05.2016 is to give a meaning to the votes being cast against 'NOTA'. It is the submission of the petitioner appearing in person that this is an indication that a majority of the electorates do not find any candidate satisfactory for purposes of election and in such a situation, the election should be held again.

2.Learned counsel appearing for the respondents states that such a power of countermanding the election in case of majority NOTA votes is not within the ambit of the respondents, but the respondents would examine the issue and if they agree with the suggestion of the petitioner, recommendation would be made to the Government / the Law Commission. On our query, he states that he may be granted three (3) months time for a decision to be taken in this behalf. The decision be accordingly communicated to the petitioner.

3.Writ petition, accordingly, stands disposed of. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

sra

To

1. The Chief Election Commissioner,  
Nirvachan Sadan, Ashoka Road,  
New Delhi 110 001.
2. The Electoral Officer,  
Tamil Nadu, Public (Elections) Dept.,  
Fort St. George, Chennai 600 009.

+lcc to M/s.G.R. Associates, Advocate, S.R.No.37798

+lcc to Mr.Tranquebar Dorai Vasu, Party in Person, S.R.No.37845

W.P.No.17656 of 2016

AD(CO)  
CA(19/07/2016)

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