

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2016

CORAM :

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

AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P. No.18284 of 2016

and

W.M.P.No.15996 of 2016

M.Baskaran

.. Petitioner

-vs-

- 1.The Election Commissioner of India,
Nirvachan Sadan, Ashoka Road,
New Delhi.
- 2.The Chief Electoral Officer,
Public (Elections) Department,
Govt. of Tamil Nadu, Secretariat,
Fort St. George, Chennai 600 009.
- 3.The District Electoral Officer cum
District Collector, Karur District,
Karur.
- 4.The Returning Officer,
Aravakurichi Assembly Constituency,
Tahsildar Office, Aravakurichi,
Karur District.

- 5.K.C.Pallanishamy
- 6.V.Senthilbalaji
- 7.V.Pukkarandi
- 8.G.Aravind
- 9.G.Kalaiyarasan
- 10.V.Subramani
- 11.R.Natarajan
- 12.C.S.Prabhu
- 13.M.Mariappan
- 14.R.Mohammed Mirza
- 15.P.Rajeshkumar
- 16.R.Kannan (Independent)
- 17.M.Karthikeyan
- 18.S.Krishnamoorthy (Independent)
- 19.M.Sasikumar (Independent)

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20.S.Sambath
21.M.Sundareswaran (Independent)
22.N.Senthilkumar
23.T.M.Syed Abuthahir (Independent)
24.A.Thamizhalagan (Independent)
25.K.Dasaprakash (Independent)
26.V.Thirukumar (Independent)
27.Noiyal Ma.Ramasamy (Independent)
28.K.Palanichamy (Independent)
29.P.Palanichamy (Independent)
30.K.Balasubramani
31.P.Baskar
32.T.Pitchaimuthu
33.T.Prabakaran
34.K.Magudeeswaran
35.R.Manivasagam
36.G.Muthukumar
37.C.P.Ravi
38.M.Vigneshwaran
39.T.Veeramani ... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct respondents 1 to 4 to conduct a thorough enquiry by giving an opportunity of hearing to all the candidates including this petitioner and the voters of the 134-Aravakurichi Assembly Constituency, about the serious allegations of bribe given to voters; in pursuance to the observations made by the 1st respondent itself in its proceedings No.464/TNLA/2016 dated 14.05.2016 and consequently to conduct a fresh election in the 134-Aravakurichi Assembly Constituency barring the disqualified candidates if they are proven to have indulged in giving bribe to voters.

For Petitioner : Mr.M.Purushothaman

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

O R D E R

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

The Election Commission of India is already in seizin of the dispute and in fact, has taken necessary action and continues to take further action.

2.Learned counsel for the petitioner, however, states that steps should be taken for disqualification of candidates who have been found using enormous money.

3.Learned counsel for the Election Commission states that the provisions of law may be inadequate in this behalf and the Election Commission will explore the issue and see if some recommendations have to be made for necessary changes in law.

4.Writ petition stands disposed of in terms thereof. No costs. Consequently, W.M.P.No.15996 of 2016 stands closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

sra
To

- 1.The Election Commissioner of India,
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- 3.The District Electoral Officer cum
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Karur.
- 4.The Returning Officer,
Aravakurichi Assembly Constituency,
Tahsildar Office, Aravakurichi,
Karur District.

- + 3 ccs to Mr.M. Purushothaman, Advocate SR.28680
- + 3 ccs to Mr. of Mr.M. Purushothaman, Advocate Sr.29040
- + 1 cc to M/s. G.R. Associates, Advocate Sr.29115

W.P.No.18284 of 2016

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