

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.07.2016

CORAM:

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P. No.23920 of 2016
and W.M.P.No.20497 of 2016

Tamil Manila Sirukadai, Thalluvandi
Vaniga Thozilalar Sangam,
No.65/24, Narasaiyar Kulam,
Dharmapuri District
Rep.by its Secretary,
N.Krishnan

.... Petitioner

Vs.

1.The District Collector,
O/o. The Collectorate,
Dharmapuri District.

2.The Commissioner
Dharmapuri Municipality Office,
Dharmapuri,
Dharmapuri District.

.... Respondents

PRAYER : Writ petitions filed under Article 226 of the Constitution of India for issue of writ of mandamus directing the respondents to issue ID cards to the members of the petitioner Sangam enabling to cast their vote in the election dated 15.07.2016 in view of the petitioner's representation dated 27.06.2016.

For Petitioner : Mr.V.Sakkarapani

For R-1 : Mr.V.Jayaprakash Narayanan
Special Govt. Pleader

For R-2 : Mr.R.Ravichandran
Addl. Govt. Pleader

O R D E R

By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner is a Sangam which according to the petitioner has got more than 2000 members. They are all small vendors carrying out business in the entire Dharmapuri District. Each vendor will be issued an identity card to show that they are small vendors, as per Government Scheme. Though the petitioners are small vendors, they have not been issued with Identity Cards and only 150 vendors were issued Identity Card and therefore, the petitioner made representation to the respondents on 27.06.2016 calling upon them to issue identity cards to its members. Without issuing identity cards to its members, on 09.06.2016, the 2nd respondent has made paper publication declaring the date of election as 15.07.2016 for electing committee members for taking incharge and maintaining accounts and disbursing the Government Funds allotted to street vendors. Aggrieved over the same, the petitioner has come before this Court seeking a direction to the respondent to issue identity cards to its members enabling them to cast their votes in the election to be held on 15.07.2016.

3. Heard Mr.V.Sakkarapani, learned counsel appearing for the petitioner, Mr.V.Jayaprakash Narayanan, learned Special Government Pleader appearing for the first respondent and Mr.R.Ravichandran, learned Additional Government Pleader appearing for the second respondent.

4. Though the contention of the petitioner is that they are small vendors, there is no document to show that they are small vendors. Secondly, if they are small vendors, they should have applied in time and got identity cards. Only when the election is notified, hurriedly, the petitioner has made representation to the respondents on 27.06.2016 seeking for issuance of identity cards to its members so as to enable them, participate in the election. The total members of the petitioner's association is alleged to be more than 2000. When a Sangam is in existence, it should have followed up the matter very meticulously and have applied for identity cards in time. In the absence of any material to show that the members of the petitioner are small vendors, there cannot be any direction to the respondents to issue identity cards, so as to enable them to participate in the election or for any other purpose. Accordingly, this writ petition fails.

5. In the result, this writ petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS IV)

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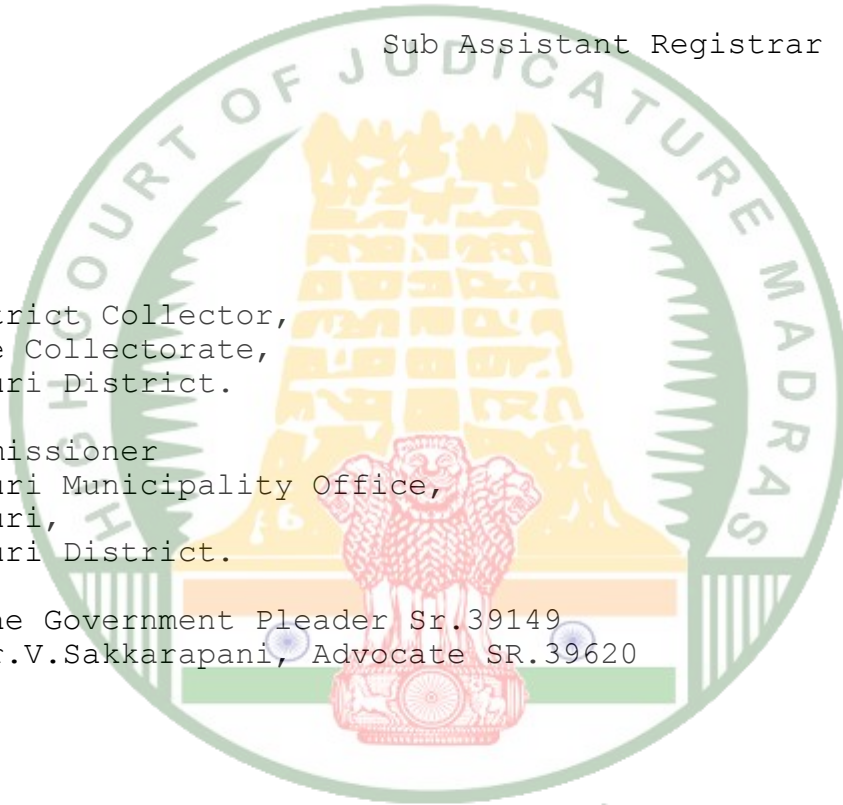
Sub Assistant Registrar

rgr

To

- 1.The District Collector,
O/o. The Collectorate,
Dharmapuri District.
- 2.The Commissioner
Dharmapuri Municipality Office,
Dharmapuri,
Dharmapuri District.

+1cc to the Government Pleader Sr.39149
+1cc to Mr.V.Sakkarapani, Advocate SR.39620



सत्यमेव जयते

W.P. No.23920 of 2016

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