

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.08.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.30221/2016

R.Ethiraj

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Petitioner

Vs.

- 1.The Chief Electoral Officer
Government of Tamil Nadu
Secretariat, St. George Fort,
Chennai-9.
- 2.The Election Officer
The Greater Corporation of Chennai
Rippon Building, Chennai 600 003.
- 3.The Election Officer
9th Zonal Officer, The Greater Corporation
of Chennai, No.1,Lake Area, 4th Cross
Street, Nungambakkam, Chennai 600 034.
- 4.D.Gangadevi
- 5.A.Karpagam

Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus to direct the respondents to take necessary steps to dispose the petitioner's representation dated 12.04.2016.

For Petitioner : Mr.K.Gnana Sundaram
For R1 : Mr.B.Nedunchezhiyan
For R2&R3 : Mr.A.Nagarajan

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ORDER

By consent, the writ petition is taken up for final disposal.

2 The petitioner would state that he is the resident of Door No.5/25, Varadharajapuram, Poes Road, Vanniya Teynampet, Chennai-18, and his sisters, viz., the respondents 4 and 5

herein, has trespassed upon a small portion of the petitioner's property and using the same, trying to get a gas connection and in this regard, the petitioner has also sent a legal notice dated 20.02.2016. He has also filed a suit in OS.No.2062/2016 on the file of the Court of the V Assistant City Civil Judge, Chennai, praying for permanent injunction, restraining the respondents 4 and 5 herein, from interfering with his peaceful possession and enjoyment of the said property and also obtained an interim order in IA.No.5371/2016. The petitioner having obtained an interim order, the respondents 4 and 5 are trying to get Voter ID Cards and in this regard, sent a representation pointing out that both of them are already having Voter ID Cards in respect of Sholinganallur and Saidapet Constituent Assembly respectively and therefore, they should not be issued with any Voter ID Cards bearing petitioner's residential address and despite that, their names have been included. The petitioner has submitted an application for deletion of their names and the Public [Elections-I] Department, Secretariat, Chennai-600 009, vide communication dated 24.05.2016 has directed the petitioner to approach the 3rd respondent and accordingly, he submitted Form-7 to the said official which was also acknowledged on 27.05.2016 and despite that, no response is forthcoming and hence, the petitioner came forward to file this writ petition.

3 The learned counsel for the petitioner would submit that the dates for the local body elections are likely to be announced, the respondents 4 and 5 may use their Voter ID Cards issued to them bearing the petitioner's residential address and claim certain rights and therefore, prays for urgent orders.

4 This Court heard the submissions of Mr.B.Nedunchezhiyan, learned counsel who accepts notice on behalf of the 1st respondent and Mr.A.Nagarajan, learned counsel who accepts notice on behalf of the respondents 2 and 3.

5 Though the petitioner has prayed for a larger relief, this Court, in the light of the facts and circumstances and without going into the merits of the same, directs the 3rd respondent to dispose of Form-7 application submitted by the petitioner in accordance with law, after putting on notice the respondents 4 and 5 herein and pass orders within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the respondents 4 and 5 herein.

6 The writ petition is disposed of accordingly. No costs.

-s/d-

Assistant Registrar (CS-VI)

True Copy

Sub-Assistant Registrar

AP
To

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