

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.10.2016

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P.No.35133 of 2016

and W.P.No.30269 of 2016

K.V.Baskar

... Petitioner

Vs.

- 1.Tamil Nadu State Election Commission,
Rep. by its Secretary,
No.208/2, Jawaharlal Nehru Road,
Opp. To CMBT, Arumbakkam, Chennai-600 106.
2. The District Election Officer and District Collector
Salem District, Salem.
- 3.The Electoral Registration Officer/
Sub-Collector,
No.85, Mettur Assembly Constituency,
Mettur Dam-1, Salem District.
- 4.The Returning Officer/Executive Officer,
Mecheri Town Panchayat,
Mecheri-636 453, Salem District. ... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India for a Writ of Mandamus, directing the 3rd respondent to take necessary and appropriate steps to remove the wrong entry of the petitioner viz. BASKAR, S/O.VENKATACHALAM (Voter ID CARD NO.TN/13/085/0084043) made in Sl.No.767 of Ward No.10 of Mecheri Town Panchayat voters' list so as to enable him to contest in the ongoing Local Body Elections-2016.

For Petitioner : Mr.M.R.Jothimanian
For R1 : Mr.B.Nedunchezian

For RR2 & 3 : Mr.T.M.Pappiah
Special Government Pleader
For R4 : Mr.M.Elumalai
Government Advocate

O R D E R

The petitioner is a resident of Mecheri Town Panchayat and contesting for Ward No.9. However, his name was printed in M.Kalipatty Village Panchayat Voters' list as No.85 in Mettur Assembly Constituency. Therefore, the petitioner, on 11.09.2016, filed an application in Form 8A for transposition of his name entry from M.Kalipatty Village Panchayat to Mecheri Town Panchayat. On 30.09.2016, transposition of his name was made in Ward No.10 of Mecheri Town Panchayat. However, double entry was made in Srl.Nos.767 and 768. If double entries are found, there is a likelihood of the petitioner's name being rejected for contesting in the election. Therefore, the petitioner has approached this court seeking for a Writ of Mandamus directing the thrid respondent to delete his name in Srl.No.767 in Ward No.10, Melacheri Town Panchayat Voters' list as another entry already appears in Srl.No.768 of the same voters list.

2. Heard Mr.M.R.Jothimanian, learned counsel appearing for the petitioner, Mr.B.Nedunchezhan, learned counsel appearing on behalf of the 1st respondent, Mr.T.M.Pappiah, learned Special Government Pleader appearing on behalf of the 2nd & 3rd respondent and Mr.M.Elumalai, learned Government Advocate appearing on behalf of the 4th respondent.

3. It is seen from the records that based on petitioner's application in Form 8A dated 11.09.2016, transposition of petitioner's name from M.Kalipatty Village Panchayat Constituency to Mecheri Town Panchayat, has been made. Instead of making single entry, two entries of the petitioner's name has been made in Mecheri Town Panchayat Voters list. Hence, the 3rd respondent is directed to delete the petitioner's name printed in Srl.No.767 of Ward No.10 of Mecheri Town Panchayat Voters' List and retain Srl.No.768 alone printed in the same list.

4. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected W.M.P. is closed.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

Rm/rgr

To

1.The Secretary

Tamil Nadu State Election Commission,
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4.The Returning Officer/Executive Officer,
Mecheri Town Panchayat,
Mecheri-636 453
Salem District.

+1 CC to M/s. M.R. Jothimanian, Advocate Sr.No.56687

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RJ (CO)
MD 03/10/2016



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