



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Friday, the First day of April Two Thousand and Sixteen

PRESENT

The Hon`ble Mr.Justice S.MANIKUMAR
and
The Hon`ble Mr.Justice C.T.SELVAM

CMP(MD) No.3173 of 2016
IN
WA(MD) No.SR55097 of 2015

KUMAR @ R.CHANDRASEKARAN ... PETITIONER / APPELLANT

Vs

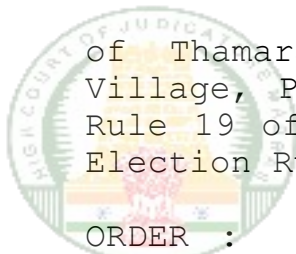
- 1 M.KAMATCHI SUNDARAM
- 2 THE DISTRICT COLLECTOR
COLLECTORATE, DINDIGUL DISTRICT.
- 3 THE ELECTION OFFICER
REVENUE DIVISIONAL OFFICER, REVENUE
DIVISIONAL OFFICE, PALANI,
DINDIGUL DISTRICT-624 601.
- 4 THE TAHSILDAR
PALANI TALUK, DINDIGUL DISTRICT-624 601.
- 5 THE EXECUTIVE ENGINEER
PUBLIC WORKS DEPARTMENT WATER RESOURCE
ORGANIZATION, AMARAVATI RIVER SUB BASIN,
PALANI TALUK, DINDIGUL DISTRICT. ... RESPONDENTS/RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant leave to file Writ Appeal against the order passed in MP (MD)No.1/2015 in WP.(MD).No.13360/2014 dated 08.07.2015.

PRAYER IN WA SR55097 of 2015: Writ Appeal is filed against the order of this court made in MP(MD)No.1 of 2015 in WP(MD)No.13360 of 2014 dated 08.07.2015.

Prayer in MP(MD). 1/2015: To permit the petitioner / proposed 5th Respondent to be impleaded as 5th respondent in W.P.(MD)No.13360 of 2014.

Prayer in WP(MD). 13360/ 2014 :To issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the notice dated 30.07.2014, affixed in the notice board of the 4th respondent with the election schedule and quash the same and consequently direct the first respondent to proceed with the elections notified as per the Notification dated 30.06.2014 and issue the certificate of Election



of Thamaraikulam Channel Water user Association, Thamaraikulam Village, Palani Taluk, Dindigul District, to the Petitioner as per Rule 19 of the Tamil Nadu Farmers Management of Irrigation Systems Election Rules 2003.

ORDER : This petition coming on for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.T.LENIN KUMAR, Advocate for the petitioner and of Mr.R.JEGADEESHWARAN for R1 and of Mr.A.K.BASKARA PANDIAN, Advocate for RR2 to 5, the court made the following order:-

(Order of this Court was made by S.MANIKUMAR, J.)

Vide impugned order made in M.P.(MD)No.1 of 2015 in W.P. (MD)No.13360 of 2014, the Writ Court, has quashed the notice, dated 30.07.2014 affixed in the notice board of the Executive Engineer, Public Works Department, Water Resource Organization, Amaravathi River Sub Basin, Palani Taluk, Dindigul District / respondent No.4 therein, the election schedule. The Writ Court has further directed the District Collector, Dindigul District / respondent No.1 therein, to proceed further with the Election notified, as per the Notification, dated 30.06.2014, in respect of Thamaraikulam Channel Water User Association, Thamaraikulam Village, Palani Taluk, Dindigul District and to declare the results, within a period of four weeks from the date of receipt of the copy of the order made in the writ petition. The proposed appellant in the instant appeal seeks leave of the Court to challenge the abovesaid order.

2. Though the proposed appellant has sought for leave, to file the instant appeal, recording of proceeding shows that he has filed M.P.(MD)No.1 of 2015, for imploding himself as a party respondent in W.P.(MD)No.13360 of 2014 and that the same has been rejected, on the ground that the nomination filed by the proposed appellant, had already been rejected by the returning officer, on certain grounds, and the Writ Court has observed that he has to challenge the same, in the manner known to law.

3. On this day, when the matter came up for hearing, it is brought to the notice of this Court that the order made in M.P.(MD) No.1 of 2015 in W.P.(MD)No.13360 of 2014, has been implemented, elections have been conducted, and results have also been declared.

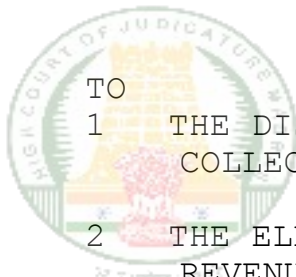
4. In view of the above, no further adjudication is required in CMP(MD)No.3173 of 2016 and hence the same is rejected.

Sd/-

Assistant Registrar

/True copy/

Sub Assistant Registrar



TO

1 THE DISTRICT COLLECTOR
COLLECTORATE, DINDIGUL DISTRICT.

2 THE ELECTION OFFICER
REVENUE DIVISIONAL OFFICER, REVENUE
DIVISIONAL OFFICE, PALANI, DINDIGUL DISTRICT,
PINCODE - 624 601.

3 THE TAHSILDAR
PALANI TALUK, DINDIGUL DISTRICT-624 601.

4 THE EXECUTIVE ENGINEER
PUBLIC WORKS DEPARTMENT WATER RESOURCE ORGANIZATION,
AMARAVATI RIVER SUB BASIN,
PALANI TALUK, DINDIGUL DISTRICT.

+1. C.C. to the Special Government Pleader, SR.No.18676

ORDER

CMP (MD) No.3173 of 2016
IN
WA (MD) No.SR55097 of 2015

SH/AAL-MPA:06.05.2016:2P/6C