



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2016

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.R.P(MD)No.1014 of 2015 (NPD)

WEB COPY

M.Kumaresan

..Petitioner

Vs.

1.S.Rajendran

2.The Tamil Nadu State Election Commission,
208/2, Jawaharlal Nehru Salai,
Chennai.

3.The District Election Officer-cum-
The District Collector,
Dindigul District,
Velunachiar Vazham,
Thadicombu,
Dindigul.

4.The Returning Officer-cum-
The Project Director,
District Rural Development Agency,
Office of the District Collector,
Dindigul District.

5.V.Senthilkumar

..Respondents

PRAYER: Civil Revision Petition is filed, under Article 227 of Constitution of India, to set aside the order passed in I.A.No.77 of 2014 in Election O.P.No.7/2012 on the file of the Principal District Judge, Dindigul, dated 10.04.2015 and allow this revision petition.

For Petitioners	: Mr.Veerakathiravan
For R1	: Mr.G.Prabhu Rajadurai for Mr.S.Balamurugan
For R5	: Mr.R.Pon Senthilkumar

ORDER

This Civil Revision Petition has been filed by the petitioner to set aside the order, dated 10.04.2015, passed in I.A.No.77 of 2014 in Election O.P.No.7/2012 by the Principal District Judge, Dindigul.

2.The first respondent has filed the Election O.P.No.7 of 2012, challenging the Election of the 18th Ward Councillor. The first respondent has filed the two Civil Revision Petitions in C.R.P(MD)No.1913 of 2013 and C.R.P.(MD)No.149 of 2015 for speedy disposal of Election O.P.No.7 of 2012. This Court, vide order dated 30.10.2013 and 03.02.2015 respectively, directed the Trial Court to dispose the election petition within a time frame fixed by this Court. The same was not complied with. The petitioner has filed I.A.No.77 of 2014 to send for documents. The first respondent opposed the same. The learned Judge dismissed the application in I.A.No.77 of 2014 on 10.04.2015. Against that dismissal order, the petitioner has filed the present Civil Revision Petition.



3.The first respondent filed C.M.P.(MD)No.2605 of 2016 to fix an early date. At the time of hearing, the learned counsel for the first respondent submitted that he has no objection for the CRP being allowed and prayed for speedy disposal of Election O.P.No.7 of 2012 and he has also made an endorsement to that effect. The said endorsement is recorded.

4.In view of the endorsement made by learned counsel for the first respondent, the Civil Revision Petition is allowed and order passed by the learned Principal District Judge, Dindigul in I.A.No.77 of 2014, dated 10.04.2015, is set aside.

5.On earlier two occasions, this Court directed the learned Principal District Judge, Dindigul, to dispose Election O.P.No.7 of 2012 within time frame fixed therein.

6.Both the learned counsel for the petitioner and the respondents submitted that both parties are ready to co-operate for conducting the trial and dispose Election O.P.No.7 of 2012.

7. In the circumstances, this Court directed the learned Principal District Judge, Dindigul, to conduct the trial on day-to-day basis and dispose Election O.P.No.7 of 2012 as expeditiously as possible, in any event, not later than 30th April, 2016.

8.The Registry is directed to send all the original records to the Principal District Court, Dindigul, immediately.

Sd/-

Assistant Registrar(Records)

/True copy/

Sub Assistant Registrar(CS)

To
The Principal District, Dindigul.

Copy to: The Section Officer, VR Section,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.S.Balamurugan, Advocate in SR.16084
+1cc to Mr.Veerakathiravan, Advocate in SR.16187

C.R.P (MD)No.1014 of 2015(PD)
22.03.2016

AM
PBK/AN-MP/SAR-I 23.03.2016 ::2P-5C:(IT)