



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 11.11.2016
CORAM :

THE HON'BLE Dr.JUSTICE S.VIMALA

W.P(MD)No.21546 of 2016

K.Varadharajan

... Petitioner

Vs.

- 1.The State Election Commissioner,
Tamil Nadu,
Vadapalani, Chennai.
- 2.The District Collector,
Madurai.
- 3.The Revenue Divisional Officer,
Madurai, Madurai District.
- 4.The Block Development Officer,
Thiruparankundram Panchayat union,
Madurai District.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 1st Respondent to dispose of the petitioners representation dated 07.10.2016 submitted in person seeking for passing suitable orders and swift action for verification of the community certificates produced by the candidates who filed their nomination before the election officer appointed by the 1st Respondent particularly ST Candidates whether the same cancelled or not before accepting their nomination through the competent authority namely the 2nd respondent herein within a time.

For Petitioner	: Mr.B.Prahalad Ravi
For Respondents	: Mr.R.Karthikeyan
	Additional Government Pleader

O R D E R

This Writ of Mandamus has been filed, seeking a direction to the first respondent to consider the representation of the petitioner, dated 07.10.2016, wherein it is alleged that the community certificate of the candidates, who had submitted their nominations for the Panchayat Elections had not been properly scrutinized / verified and therefore, the nominations ought not to have been accepted before subjecting the documents for verification.



2. The learned Additional Government Pleader for the respondents produced a communication, dated 31.10.2016, where under the representation of the petitioner has been considered by the Block Development Officer/fourth respondent herein and orders have been passed thereon.

3. The representation of the petitioner has been submitted to all the four respondents and the fourth respondent has considered the grievance of the petitioner and has given a finding that the objections ought to have been raised on or before the acceptance of the nomination and that the objections having been raised belatedly, cannot be accepted.

4. The learned counsel for the petitioner submitted that the first respondent is the competent authority to pass orders and not the fourth respondent.

5. When the representation has been addressed to all the respondents and when the orders, having been passed already by the fourth respondent, the petitioner ought to have challenged the rejection order on the ground that it is passed by an incompetent person. But it is not done so. Giving liberty to the petitioner to challenge the rejection order, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(AE)

/TRUE COPY/

Sub Assistant Registrar

To

1. The State Election Commissioner,
Vadapalani,
Chennai,
Tamil Nadu.

2. The District Collector,
Madurai.

3. The Revenue Divisional Officer,
Madurai,
Madurai District.

+1cc to M/S. THE SPECIAL GOVERNMENT PLEADER, SR NO:68834

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