

HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN
AND
HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

Writ Petition No.13333 of 2008

ORDER: (*per Hon'ble Sri Justice V. Ramasubramanian*)

This Public Interest Litigation was filed on the eve of the general elections to the State Assembly for the year 2008. At that time, prosecution was initiated against the 3rd respondent, who was the then Chief Minister of the State, for allegedly holding a press conference at his camp office on 28.05.2008. The petitioner sought a declaration that the initiation of proceedings against the 3rd respondent under Section 126 of the Representation of the People Act, 1951 was unconstitutional.

2. Heard Sri K.R. Prabhakar, learned counsel for the petitioner and Sri S.S.Prasad, learned senior counsel for the 3rd respondent.

3. Notice was ordered at the time of admission of the writ petition and an interim stay was granted. Now, the 3rd respondent is no more. Though action was initiated against the respondents 4 to 6 also, the role of the respondents 4 to 6 was limited to that of telecasting press conference held by the 3rd respondent. Since, the 3rd respondent is also no more, the criminal action itself cannot proceed further. The writ petition has virtually, become infructuous. Hence, it is closed. There shall be no order as to costs. Pending miscellaneous applications if any, in this writ petition shall stand closed.

V.RAMASUBRAMANIAN, J

A. SHANKAR NARAYANA, J

Date: 09.06.2016

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