

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

MONDAY, THE 17TH DAY OF JULY 2017

THE HON'BLE MR. JUSTICE M.V.MURALIDARAN

O.A. Nos.2,20 and 21 of 2017

IN

Election Petition No. 13 of 2016

Elp.No.13 of 2016

Mr.K.Karuppasamy,
S/o.Kumarasamy,
No.138, Akkaraipatti,
Oddanchatram T.K.,
Dindigul District 624 618.

... Petitioner

-VS-

1.Mr.R.Sakkarapani,
S/o.Rengasamy Gounder,
No.3/102, A.Semmozhi Nagar,
Kallimandayam, Oddanchatram T.K.
Dindigul District 624 618.

2.The Chief Election Commissioner,
O/o.Election Commission of India,
Nirvachan Sadan, Ashoka Road,
New Delhi 110 001.

3.The District Election Officer and Collector,
O/o.District Collector, Collectorate Complex,
Dindugal District.

4.The Returning Officer and Assistant
Commissioner (Excise),
Oddanchatram Legislative Assembly Constituency,
O/o.Collectorate Complex,
Dindugal, Dindugal District.

... Respondents

OA.No.2 of 2017

The Chief Election Commissioner,
O/o.Election Commission of India,
Nirvachan Sadan, Ashoka Road,
New Delhi 110 001.

... Applicant/2nd Respondent

Vs

- 1.Mr.K.Karuppusamy,
S/o.Kumarasamy,
No.138, Akkaraipatti,
Oddanchatram T.K.,
Dindigul District 624 618. ... Respondent/Petitioner
- 2.Mr.R.Sakkarapani,
S/o.Rengasamy Gounder,
No.3/102, A.Semmozhi Nagar,
Kallimandayam, Oddanchatram T.K.
Dindigul District 624 618.
- 3.The District Election Officer and Collector,
O/o.District Collector, Collectorate Complex,
Dindugal District.
- 4.The Returning Officer and Assistant
Commissioner (Excise),
Ottanchatram Legislative Assembly Constituency,
O/o.Collectorate Complex,
Dindugal, Dindugal District. ...Respondents/Respondents

The Original Application No.2 of 2017 praying that this Hon'ble Court be pleased to strike off the 2nd respondent as a respondent in the Election Petition No.13 of 2016.

OA.No.20 of 2017

The District Election Officer and Collector,
O/o.District Collector, Collectorate Complex,
Dindugal District. ... Applicant/3rd Respondent

Vs

- 1.Mr.K.Karuppusamy,
S/o.Kumarasamy,
No.138, Akkaraipatti,
Oddanchatram T.K.,
Dindigul District 624 618. ... Respondent/Petitioner
- 2.Mr.R.Sakkarapani,
S/o.Rengasamy Gounder,
No.3/102, A.Semmozhi Nagar,
Kallimandayam, Oddanchatram T.K.
Dindigul District 624 618.
- 3.The Chief Election Commissioner,
O/o.Election Commission of India,
Nirvachan Sadan, Ashoka Road,
New Delhi 110 001.

- 4.The Returning Officer and Assistant
Commissioner (Excise),
Ottanchatram Legislative Assembly Constituency,
O/o.Collectorate Complex,
Dindugal, Dindugal District. ...Respondents/Respondents

The Original Application No.20 of 2017 praying that this
Hon'ble Court be pleased to strike off the 3rd respondent
as a respondent in the Election Petition No.13 of 2016.

OA.No.21 of 2017

The Returning Officer and Assistant
Commissioner (Excise),
Ottanchatram Legislative Assembly Constituency,
O/o.Collectorate Complex,
Dindugal, Dindugal District. ... Applicant/4thRespondent

Vs

- 1.Mr.K.Karuppusamy,
S/o.Kumarasamy,
No.138, Akkaraipatti,
Oddanchatram T.K.,
Dindigul District 624 618. ... Respondent/Petitioner
- 2.Mr.R.Sakkarapani,
S/o.Rengasamy Gounder,
No.3/102, A.Semmozhi Nagar,
Kallimandayam, Oddanchatram T.K.
Dindigul District 624 618.
- 3.The Chief Election Commissioner,
O/o.Election Commission of India,
Nirvachan Sadan, Ashoka Road,
New Delhi 110 001.
- 4.The District Election Officer and Collector,
O/o.District Collector, Collectorate Complex,
Dindugal District.
...Respondents/Respondents

The Original Application No.21 of 2017 praying that this
Hon'ble Court be pleased to strike off the 4th respondent
as a respondent in the Election Petition No.13 of 2016.

The above Original Applications coming on this day before this Court for hearing in the presence of Mr.Niranjan Rajagopalan for M/s.G.R.Associates, Advocates for the Applicant/respondents 2 to 4 in all Original Applications, Mr.A.Manoj Kumar, Advocate for the 1st respondent/Election Petitioner in all Original Applications and Mr.Richardson Wilson for M/s.Wilson Associates, advocate for the 2nd respondent/R1 in all Original applications and upon reading the Judges Summons and affidavits of Rajesh Lakhoni filed in OA.No.2 of 2017, Dr.T.G.Vinay filed in OA.No.20 of 2017 and A.M.Kamatchi Ganesan, filed in OA.No. 21 of 2017, and the Counter affidavits of K.Karuppusamy filed in OA.Nos.20 & 21 of 2017 herein, **This Court made the following order:**

The first respondent in this application, who is the petitioner in Election Petition in ELP.No.13 of 2016 has filed the above Election Petition seeking prayer to declare the Election of the returned candidate, namely the 1st respondent in the Election Petition in ELP.No.13 of 2016 from No.128, Oddanchatram Legislative Assembly Constituency, Dindigul District, Tamilnadu, dated 16.05.2016, in which result have been declared on 19.05.2016 as void.

2.In this Election Petition, these petitioners, who are the respondent Nos.2, 3 and 4, are the Chief Election Commissioner, New Delhi, the District Election Officer and

District Collector at Dindigul District and the Returning Officer and Assistant Commissioner (Excise), Oddanchatram, Dindigul District respectively, were added as party respondents in the Election Petition in ELP.No.13 of 2016.

3.On receipt of the summon, these petitioners, who are the respondents 2, 3 and 4 in the Election Petition were appeared before this Court through their counsel. Now, the petitioners, who are the respondents 2, 3 and 4 were filed the present applications in O.A.No.2 of 2017, O.A.No.20 of 2017 and O.A.No.21 of 2017 to strike of them from the Election Petition.

4.The petitioners each of them were filed separate application and the petitioners were stated that as per Section 82 of the Representation of the People Act, 1951 provides for who shall be a party to an Election Petition, as per the provision, which is extracted hereunder:

"82. Parties to the petition.-A petitioner shall join as respondents to his petition-

(a)where the petitioner, in addition to claiming a declaration that the election of all or any of the returned candidates is void, claims a further declaration that he himself or any other candidate has been duly elected, all the contesting candidates other than the petitioner and where no such further declaration is claimed,

all the returned candidates; and

(b) any other candidate against whom allegations of any corrupt practice are made in the petition.

Further Section 86(4) of the Act, provides that, Any candidate not already a respondent shall, upon application made by him to the High Court within fourteen days from the date of commencement of the trial and subject to any order as to security for costs which may be made by the High Court, be entitled to be joined as a respondent."

5. Apart from this, the petitioner also states that as per the orders of the Hon'ble Supreme Court in its Judgements reported in **AIR 1982 SC 983, 1982 (1) SCC 691** and **1991 Supp (2) SCC 624**, it is held that the persons mentioned in the said provisions under Section 82 of the Representation of the People Act, 1951, alone can be impleaded as respondents, and no one else including the Election Commission of India can be impleaded as a party.

6. Therefore, the petitioners, who are the respondents 2, 3 and 4 should not be impleaded as a party respondent in the Election Petition in ELP.No.13 of 2016 and as per the above provision as well as the orders of the Hon'ble Supreme Court, they prayed for strike of them from the

Election Petition.

7. On receipt of the petition, a counter affidavit has been filed by the first respondent, who is the Election Petitioner.

8. In the counter, the first respondent/petitioner has states that though Sections 82, 86(4) of the Representation of the People Act, 1951, speaks about among the candidates who can be implead as the respondents, but there is nothing in Act to bar to implead the District Election Officer as the Respondent.

9. The first respondent states that in order to give effect to the pronouncement of the Hon'ble Supreme Court in the case of ***Union of India v. Association for Democratic Reforms and another*** judgment reported in ***(2002) 5 SCC 294***, the 2nd respondent issued Order in No.3/ER/2002/JS-II/Vol.III dated 28.06.2002 authorizing the Returning Officer to reject the nomination paper of a candidate, who furnishes any wrong, incomplete or suppressed material information about his antecedent, assets, liability of self, spouse and dependents in the affidavit filed along with the nomination paper.

10. The respondent also come forward by saying that the Parliament in order to give effect to the direction of the

Hon'ble Supreme Court in the case of Association for Democratic Reforms (supra) inserted Sections 33A, 33B in the Act by Act No.72 of 2002 with effect from 24.08.2002. Section 33A required the candidate to furnish information under the Act or the Rules made there under together with his Elaborating his submission. Therefore, the 1st respondent, who has filed incomplete nomination, which is ground to reject nomination. But the 4th respondent, who is Returning Officer improperly accepted nomination of the 1st respondent against provisions of the Representation of People Act, 1951, directions on 13.09.2013 of the Hon'ble Apex Court in Resurgence India v. Election Commission of India and Executive direction No.509/267/2007-RCC/890 to 978 dated 12.08.2014 of the 2nd respondent.

11.The 1st respondent also states that the instructions contained in the Handbook for Returning Officer are issued by the 2nd respondent in exercise of its statutory functions are binding on the Returning Officers. The Hon'ble Supreme Court has held that the voter has the elementary right to know full particulars of the candidate who is to represent him in the Parliament/Assemblies and such right to get information is universally recognized as natural right flowing from the concept of democracy and is an integral part of Article 19(1)(a) of the Constitution of India. In terms of this direction, which has been held mandatory by the Hon'ble Supreme Court of India, the 4th respondent is

under an obligation to reject the nomination of the petitioner in view of the suppression of material information. Therefore, the 4th respondent has no other option except to reject the nomination paper as incomplete.

12.The 4th respondent has failed to conform to the mandatory guidelines enacted by the 2nd respondent and authorities of the Hon'ble Apex Court as well as Article 19 (1), 324 of Constitution of India and hence the 4th respondent became proper party to the Election Petition, in view of the nature of allegations pertaining to their official conduct. Therefore, the respondents 2 and 3 also received instructions contained in the Handbook of the Returning Officer. Hence, the 3rd respondent, who is the District Election Officer has failed to get instruction for rejecting the petition.

13.The 1st respondent also states that though the 2nd respondent, who is the Chief Election Commissioner has issued the instructions to the respondents 3 and 4, the 2nd respondent is necessary party in the Election Petition. Therefore, the 1st respondent has prayed for dismissal of all the above applications, since all the respondents 2, 3 and 4 are necessary parties in the Election Petition in ELP.No.13 of 2016.

14.I heard Mr.Niranjan Rajagopalan, learned counsel

appearing for the petitioners/respondents 2, 3 and 4 and Mr.M.Jothikumar, learned counsel appearing for the respondent/petitioner.

15.All the three applications in O.A.Nos.2, 20 and 21 of 2017 were filed by the respondents 2, 3 and 4 respectively filed to strike of them as parties/respondents from the Election Petition.

16.These applicants/respondents were arrayed as parties as respondents 2, 3 and 4 in the said election petition in ELP.No.13 of 2016 and it is the case of the petitioners/respondents that they are not necessary parties in this election petition, since as per the Section 82 of the Representation of the People Act, 1951, provides for who shall be a party to an Election Petition. The provision states as follows:

"82. Parties to the petition.-A petitioner shall join as respondents to his petition-

(a)where the petitioner, in addition to claiming a declaration that the election of all or any of the returned candidates is void, claims a further declaration that he himself or any other candidate has been duly elected, all the contesting candidates other than the petitioner and where no such further declaration is claimed, all the returned candidates; and

(b) any other candidate against whom allegations of any corrupt practice are made in the petition.

Further Section 86(4) of the Act, provides that, Any candidate not already a respondent shall, upon application made by him to the High Court within fourteen days from the date of commencement of the trial and subject to any order as to security for costs which may be made by the High Court, be entitled to be joined as a respondent."

17. The Hon'ble Supreme Court has held in several cases that the persons who are all mentioned in the provisions under Section 82 of the Representation of the People Act, 1951, alone can be impleaded as respondents and no one else including the Election Commission of India can be impleaded as a party.

18. When the provisions of Section 82 of the Representation of the People Act, 1951, would clearly say that the persons, who claiming a declaration that the election of all or any of the returned candidates is void, claims a further declaration that he himself or any other candidate has been duly elected, all the contesting candidates other than the petitioner and other than the persons, who are all not necessary parties should implead

as parties.

19. The Hon'ble Apex Court to support the case of the petitioners/respondents 2, 3 and 4, they produced several judgments before this Court particularly in a case of ***Jyoti Basu and others v. Debi Ghosal and others*** reported in ***(1982) 1 Supreme Court Cases 691***, it is clearly mentioned that in paragraphs 11, 12 and 13 stated as follows:

"11. The matter may be looked at from another angle. The Parliament has expressly provided that an opportunity should be given to a person who is not a candidate to show cause against being 'named' as one guilty of a corrupt practice. Parliament however, has not thought fit to expressly provide for his being joined as a party to the election petition either by the election-petitioner or at the instance of the very person against whom the allegations of a corrupt practice are made. The right given to the latter is limited to show cause against 'named' and that right opens up for exercise when, at the end of the trial of the election petition notice is given to him to show cause why he should not be 'named'. The right does not extend to participation at all stages and in all matters, a right which he would have if he is joined as a party at the commencement. Conversely the election petitioner cannot by

joining as a respondent a person who is not a candidate at the election subject him to a prolonged trial of an election petition with all its intricacies and ramifications. One may well imagine how mischievous minded persons may harass public personages like the Prime Minister of the country, the Chief Minister of a State or a political leader of a national dimension by impleading him as a party to election petitions, all the country over. All that would be necessary is a seemingly plausible allegation, casually or spitefully made, with but a facade of truth. Everyone is familiar with such allegations. To permit such a public personage to be impleaded as a party to an election petition on the basis of a mere allegation, without even prime facie proof, an allegation which may ultimately be found to be unfounded, can cause needless vexation to such personage and prevent him from the effective discharge of his public duties. It would be against the public interest to do so. The ultimate award of costs would be no panacea in such cases, since the public mischief cannot be repaired. That is why public Policy and legislative wisdom both seem to point to an interpretation of the provisions of the Representation of the People Act which does not permit the joining, as parties, of

persons other than those mentioned in Sections 82 and 86(4). It is not as if a person guilty of a corrupt practice can get away with it. Where at the concluding stage of the trial of an election petition, after evidence has been given, the Court finds that there is sufficient material to hold a person guilty of a corrupt practice, the Court may then issue a notice to him to show cause under Sec. 99 and proceed with further action. In our view the legislative provision contained in Sec. 99 which enables the Court, towards the end of the trial of an election petition, to issue a notice to a person not a party to the proceeding to show cause why he should not be 'named' is sufficient clarification of the legislative intent that such person may not be permitted to be joined as a party to the election petition.

12. There is yet another view-point. When in an election petition in addition to the declaration that the election of the returned candidate is void a further declaration is sought that any candidate other than the returned candidate has been duly elected, sec. 97 enables the returned candidate or any other party to 'recriminate' i.e. to give evidence to prove that the election of such candidate would have been void if he had been a returned candidate and a

petition had been presented to question his election. If a person who is not a candidate but against whom allegations of any corrupt practice are made is joined as a party to the petition then, by virtue of his position as a party, he would also be entitled to 'recriminate' under sec. 97. Surely such a construction of the statute would throw the doors of an election petition wide open and convert the petition into a 'free for all' fight. A necessary consequence would be an unending, disorderly election dispute with no hope of achieving the goal contemplated by Section 86 (6) of the Act that the trial of the election petition should be concluded in six months. It is just as well to remember that 'corrupt practice' as at present defined by Section 123 of the Act is not confined to the giving of a bribe but extends to the taking of a bribe too and, therefore, the number of persons who may be alleged to be guilty of a corrupt practice may indeed be very large, with the consequence that all of them may possibly be joined as respondents.

13.In view of the foregoing discussion we are of the opinion that no one may be joined as a party to an election petition otherwise than as provided by Sections 82 and 86(4) of the Act. It follows that a person who is not a candidate may

not be joined as a respondent to the election petition. The appeal is therefore, allowed with costs and the names of the appellants and the seventh respondent in the appeal are directed to be struck out from the array of parties in the election petition. We may mention that in arriving at our conclusion we have also considered the following decisions cited before us: S.B.Adityan v. S.Kandaswami, Dwijendra Lal Sen Gupta v. Harekrishna Konar, H.R.Gokhale v. Bharucha Noshir C., and S.Iqbal Singh v. S.Gurdas Singh Badal.

20.The Hon'ble Supreme Court also held that the Civil Procedure Code also applies to the trial of election petitions and it decides so proper parties whose presence may be necessary in order to enable the court 'effectually and completely to adjudicate upon and settle all questions involved' may be joined as respondents to the petitions. The Hon'ble Supreme Court had clearly held in the said judgment cited supra that if the candidate not joined as a respondent so as to save the election petition from dismissal for non-joinder of necessary parties and the Hon'ble Apex Court has held as follows:

"10.It is said, the Civil Procedure Code applies to the trial of election petitions and so proper parties whose presence may be necessary in order to enable the Court 'effectually and

completely to adjudicate upon and settle all questions involved' may be joined as respondents to the petitions. The question is not whether the Civil Procedure Code applies because it undoubtedly does, but only 'as far as may be' and subject to the provisions of the Representation of the People Act, 1951 and the rules made thereunder. Section 87(1) expressly says so. The question is whether the provisions of the Civil Procedure Code can be invoked to permit that which the Representation of the People Act does not. Quite obviously the provisions of the Code cannot be so invoked. In *Mohan Raj v. Surendra Kumar Taparia*, this Court held that the undoubted power of the Court (i.e. the Election Court) to permit an amendment of the petition cannot be used to strike out allegations against a candidate not joined as a respondent so as to save the election petition from dismissal for non-joinder of necessary parties. It was said:

The Court can order an amendment and even strike out a party who is not necessary. But where the Act makes a person a necessary party and provides that the petition shall be dismissed if such a party is not joined, the power of amendment or to strike out parties cannot be used at all.

The Civil Procedure Code applies subject to the provisions of the Representation of the People Act and any rules made thereunder. When the Act enjoins the penalty of dismissal of the petition for non-joinder of a party the provisions of the Civil Procedure Code cannot be used as a curative means to save the petition."

Again, in *K.Venkateswara Rao v. Bekkam Narasimha Reddi*, it was observed:

With regard to the addition of parties which is possible in the case of a suit under the provisions of Order 1, Rule 10 subject to the added party right to contend that the suit as against him was barred by limitation when he was added, no addition of parties is possible in the case of an election petition except under the provisions of sub-section (4) of Section 86".

21. In yet another case which has been produced by the learned counsel appearing for the petitioners/respondents 2, 3 and 4 in a case of ***B.Sundara Rami Reddy v. Election Commission of India and others*** reported in ***1991 Supp (2) Supreme Court Cases 624***, it is held as follows:

"3. After hearing learned counsel for the

petitioner we do not find any merit in the petition. Section 82 of the Representation of the People Act, 1951 specifies the persons who are required to be joined as respondents to an election petition. Under this provision the returned candidate is a necessary party as a respondent and where relief for a declaration is claimed that the election petitioner, or any other candidate be duly elected, all the contesting candidates are necessary to be impleaded as respondents to the petition. No other person or authority except as aforesaid is required to be impleaded as a respondent to an election petition under the Act. The Election Commission of India is therefore not a necessary party to an election petition.

4. Learned counsel for the petitioner urged that even if the Election Commission may not be a necessary party, it was a proper party since its orders have been challenged in the election petition. He further urged that since Civil Procedure Code, 1908 is applicable to trial of an election petition the concept of proper party is applicable to the trial of election petition. We find no merit in the contention. Section 87 of the Act lays down that subject to the provisions of the Act and any rules made thereunder, every

election petition shall be tried by the High Court, as nearly as may be in accordance with the procedure applicable under the Code of Civil Procedure, 1908 to the trial of suits. Provisions of the Civil Procedure Code have thus been made applicable to the trial of an election petition to a limited extent as would appear from the expression "subject to the provisions of this Act". Since Section 82 designates the persons who are to be joined as respondents to the petition, provisions of the Civil Procedure Code, 1908 relating to the joinder of parties stands excluded. Under the Code even if a party is not necessary party, he is required to be joined as a party to a suit or proceedings if such person is a proper party, but the Representation of the People Act, 1951 does not provide for joinder of a proper party to an election petition. The concept of joining a proper party to an election petition is ruled out by the provisions of the Act. The concept of joinder of a proper party to a suit or proceeding underlying Order I of the Civil Procedure Code cannot be imported to the trial of election petition, in view of the express provisions of Sections 82 and 87 of the Act. The Act is a self-contained Code which does not contemplate joinder of a person or authority to an

election petition on the ground of proper party. In *K.Venkateswara Rao v. Bekkam Narasimha Reddi*, this Court while discussing the application of Order I Rule 10 of the Civil Procedure Code to an election petition held that there could not be any addition of parties in the case of an election petition except under the provisions of sub-section (4) of Section 86 of the Act. Again in *Jyoti Basu v. Debi Ghosal*, this Court held that the concept of 'proper party' is and must remain alien to an election dispute under the Representation of the People Act, 1951. Only those may be joined as respondents to an election petition who are mentioned in Section 82 and Section 86(4) and no others. However desirable and expedient it may appear to be, none else shall be joined as respondents.

22.Per contra, the learned counsel appearing for the 1st respondent has stated that as per Sections 82, 86(4) of the Representation of the People Act, 1951, speaks about among the candidates who can be impleaded as the respondents, but there is nothing in Act to bar to implead the District Election Officer as the Respondent.

23.To support their case, the 1st respondent has produced a judgment in a case of ***Union of India v.***

Association for Democratic Reforms and another reported in **(2002) 5 SCC 294**. The Hon'ble Supreme Court held that in Sections 33A, 33B in the Act by Act No.72 of 2002 with effect from 24.08.2002, it says that the Section 33A was required the candidate to furnish information under the Act or the Rules made thereunder together with his elaborating his submission, but the said judgment is not applicable to this present petition.

24.As per the provisions of Section 82 of the Representation of the People Act, 1951 and the orders of the Hon'ble Supreme Court reported in the above judgements cited supra produced by the learned counsel appearing for the petitioner, it is made clear that Section 82 of the Representation of the People Act, 1951, which specifies the persons who are required to be joined as respondents to an election petition. Under this provision, the returned candidate alone is a necessary parties as the respondents and where relief for a declaration is claimed that the election petitioner, or any other candidate be duly elected, all the contesting candidates are necessary to be impleaded as respondents to the petition. Therefore, no other person or authority except as aforesaid is required to be impleaded as a respondent to an election petition under the Representation of the People Act, 1951. In the above circumstances, the Election Commission of India is not a necessary party to an election petition. Hence, only

those may be joined as respondents from the election petition, who are mentioned in Sections 82 and 86(4) of the Representation of the People Act, 1951, the others are not necessary to add as a party in the election petition. Therefore, the Hon'ble Apex Court in the judgment rendered in the case of ***Jyoti Basu and others v. Debi Ghosal and others*** reported in ***(1982) 1 Supreme Court Cases 691***, in which it is clearly held that the concept of 'proper parties' is and must remain alien to an election dispute under the Representation of the People Act, 1951.

25.As per the provision under Section 82 of the Representation of the People Act and the orders of the Hon'ble Apex Court, it is my absolute view that the Election Officers are not necessary parties in the Election Petition. Accordingly, the petitioners, who are the respondents 2, 3 and 4 in the election petition are not necessary parties in the Election Petition No.13 of 2016 and the 4th respondent, who is the election officer can be examined in this election petition. Hence, these petitions in O.A.Nos.2, 20 and 21 of 2017 are to be allowed and the names of the petitioners/respondents 2, 3 and 4 in the election petition are directed to be struck off from the array of parties in the election petition.

26.In the result:

(a) all the three applications in O.A.Nos.2,

20 and 21 of 2017 in ELP.No.13 of 2016 are allowed;

(b) the respondents 2, 3 and 4 in the election petition in ELP.No.13 of 2016 are strike off from the array of parties in the election petition in ELP.No.13 of 2016;

(c) the 1st respondent/petitioner is liberty to examine the 4th respondent as witness in the Election Petition, if necessary.

27. Accordingly, these petitions are allowed. There shall be no order as to costs.

WITNESS, THE HON'BLE MS. INDIRA BANERJEE, CHIEF JUSTICE, HIGH COURT AT MADRAS, AFORESAID THIS THE 17TH DAY OF JULY, 2017.

sd/-(i/c)

ASSISTANT REGISTRAR(O.S.II)

//CERTIFIED TO BE TRUE COPY//

DATED THIS THE DAY OF 2017

COURT OFFICER (O.S.)

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cns - 18/07/2017

OA.NOS.2, 20 & 21 OF 2017

in

ELP.NO.13 OF 2016

ORDER

DATED:17/07/2017

THE HON'BLE MR. JUSTICE

M.V.MURALIDARAN

FOR APPROVAL: 18/07/2017

APPROVED ON : 18/07/2017