

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 10.03.2017

CORAM

THE HONOURABLE MR. HULUVADI G.RAMESH, ACTING CHIEF JUSTICE
AND

THE HONOURABLE MR. JUSTICE M.SUNDAR

W.P. NO. 5978 OF 2017

A.Vinayagam

.. Petitioner

- Vs -

1. The Chief Election Commissioner of India
Election Commission of India
Nirvasan Sadan, Ashoka Road
New Delhi 110 001.
2. The State Election Commissioner
Tamil Nadu State Election Commission
100 Feet Road, Vadapalani
Chennai.
3. The President of the Representation
Committee, Tamil Nadu Legislative
Assembly, Secretariat, Chennai - 9.
4. The Secretary to Government
Municipal Administration & Water
Supply Department (Election)
Secretariat, Chennai - 9.
5. The Joint Secretary
Election Department
Government of Tamil Nadu
Secretariat, Chennai - 9.
6. The Secretary to Government
Revenue Department
Secretariat, Chennai - 9.
7. The Director
Municipal Administration & Water
Supply Department (Election)
Chepauk, Chennai - 5.

8. The District Collector
Office of the District Collector
Kanchipuram District
Kancheepuram 631 501.
9. The Commissioner
Corporation of Chennai
Ripon Buildings, Chennai 600 003.
10. The Asst. Commissioner
Corporation of Chennai
Alandur Zone - 12
New Street, Alandur, Chennai - 16.
11. The Asst. Commissioner
Corporation of Chennai
Perungudi Zone - 14.
(Camp : Chennai - 91)
12. The Tahsildar
Office of the Tahsildar
Sholinganallur Taluk
Kancheepuram District.
13. The Tahsildar
Office of the Tahsildar
Alandur Taluk
Kancheepuram District.

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus directing the 1st respondent to dispose of the petitioner's representation dated 4.7.2016 within the time stipulated by this Court.

For Petitioner :Mr. A.Ilaya Perumal

For Respondents:Mr.M.K.Subramanian for RR-4, 6 to 8, 12 & 13

Mr. Niranjan Rajagopal for R-1

Mr. A.Nagarajan for RR-9 & 10

ORDER

(DELIVERED BY THE HON'BLE ACTING CHIEF JUSTICE)

This petition has been filed by the petitioner for a direction on the 1st respondent to dispose of the representation dated 4.7.2016, submitted by the petitioner, within a stipulated time frame.

2. This petition, styled as public interest litigation, is filed by the petitioner, a resident of Ullagaram Village averring that their village is coming within the Alandur Assembly Constituency, which was joined with Tambaram Constituency and, thereafter, Sholinganallur Constituency. It is the averment of the petitioner that before such merger of the constituencies, no opinion was obtained by the Revenue Department. Due to the above negligence of the concerned Department, Ullagaram Village was joined with Madipakkam Village. Due to such joining of the constituencies, the wealth and funds pertaining to Ullagaram Village was misappropriated by the Madipakkam constituency, thereby, negating the welfare of Ullagaram Village. In this regard, a paper publication was effected by the Chairman, Representative Committee, Tamil Nadu Legislative Assembly calling upon the aggrieved persons to submit their grievance in respect of public issues, which are not solved and pending for a long time. In furtherance to the said publication, the petitioner submitted his representation on 4.7.2016 to the respondents, but till date, no action has been taken on the said representation. Therefore, the petitioner is constrained to file this petition.

3. Heard the learned counsel appearing for the petitioner.

4. It appears that for certain reasons it was thought fit to to delimit certain constituencies and, thereby, certain villages were put under one constituency. Expressing some apprehension over such an action, the petitioner has filed a representation, on which orders are yet to be passed. Such being the situation, it is too premature for the petitioner to move before this Court without having his representation dealt with in a manner known to law. Therefore, this Court is of the considered view that no orders can be passed on this petition at the present stage, as the present petition itself is premature.

5. Accordingly, this writ petition stands disposed of as premature. However, it is open to the petitioner to approach the authority concerned, who is dealing with delimitation, and submit a representation with regard to his grievance and it is for the authority concerned to pass necessary orders on the said representation submitted by the petitioner in accordance with law after calling for objections from the general public.

Sd/-

Assistant Registrar

//True Copy//

GLN

Sub Assistant Registrar

To

1. The Chief Election Commissioner of India
Election Commission of India
Nirvasan Sadan, Ashoka Road
New Delhi 110 001.
2. The State Election Commissioner
Tamil Nadu State Election Commissioner
100 Feet Road, Vadapalani
Chennai.
3. The President of the Representation
Committee, Tamil Nadu Legislative
Assembly, Secretariat, Chennai - 9.
4. The Secretary to Government
Municipal Administration & Water
Supply Department (Election)
Secretariat, Chennai - 9.
5. The Joint Secretary
Election Department
Government of Tamil Nadu
Secretariat, Chennai - 9.
6. The Secretary to Government
Revenue Department
Secretariat, Chennai - 9.
7. The Director
Municipal Administration & Water
Supply Department (Election)
Chepauk, Chennai - 5.
8. The District Collector
Office of the District Collector
Kanchipuram District
Kancheepuram 631 501.
9. The Commissioner
Corporation of Chennai
Ripon Buildings, Chennai 600 003.
10. The Asst. Commissioner
Corporation of Chennai
Alandur Zone - 12
New Street, Alandur, Chennai - 16.

11. The Asst. Commissioner
Corporation of Chennai
Perungudi Zone - 14.
(Camp : Chennai - 91)

12. The Tahsildar
Office of the Tahsildar
Sholinganallur Taluk, Kancheepuram District.

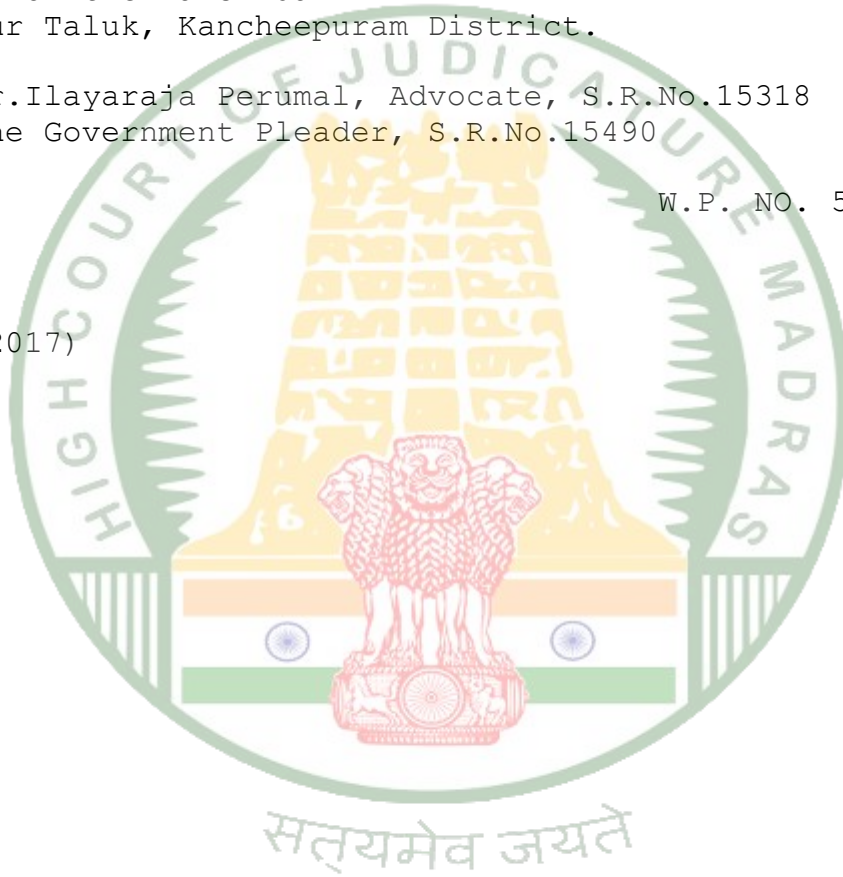
13. The Tahsildar
Office of the Tahsildar
Alandur Taluk, Kancheepuram District.

+1cc to Mr.Ilayaraja Perumal, Advocate, S.R.No.15318

+1cc to the Government Pleader, S.R.No.15490

W.P. NO. 5978 OF 2017

RJ(CO)
RS(04/04/2017)



WEB COPY