

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2017

CORAM

The HON'BLE MS.INDIRA BANERJEE, CHIEF JUSTICE

AND

The HON'BLE MR.JUSTICE M.SUNDAR

W.P.No.23557 of 2017

P.Pugalenthir .. Petitioner

vs.

1.The Governor of Tamil Nadu,
rep. by the Secretary to Governor,
Raj Bhavan,
Chennai - 600 022.

2.Mr.K.Edappadi K.Palaniswami,
Chief Minister of Tamil Nadu,
Secretariat,
Chennai - 600 009.

.. Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing respondent No.1 to invite respondent No.2 immediately to prove his majority in the Tamil Nadu Legislative Assembly.

For Petitioner : Mr.M.Radhakrishnan

सत्यमेव जयते

WEB COPY
ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

This writ petition has been filed seeking a writ of mandamus on respondent No.1 to invite respondent No.2 immediately to prove his majority in the Tamil Nadu Legislative Assembly.

2. The prayer is based on a letter dated 22.08.2017 written by the Leader of Opposition to the first respondent requesting him to direct respondent No.2 to prove his majority in the Tamil Nadu Legislative Assembly immediately.

3. We are informed that the Leader of Opposition has himself filed a writ petition being W.P.No.24708 of 2017, which is pending before the learned Single Bench having determination. We are also informed that the said writ petition has been posted for hearing on 02.11.2017.

4. Since the Leader of Opposition has initiated an independent writ petition which is being heard, we do not deem it appropriate to entertain this writ petition in public interest.

5. The writ petition is not entertained and the same is disposed of accordingly. This order will not however prevent the petitioner from seeking leave of the learned Single Bench to intervene in the writ petition initiated by the Leader of Opposition and to make submissions. Needless to mention that if such a prayer is made, the learned Single Bench will take a decision thereon in accordance with law. No costs.

Sd/-
Assistant Registrar

/true copy/

Sub Assistant Registrar

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To:

1.The Secretary to Governor,
Raj Bhavan, Chennai - 600 022.

2.Mr.K.Edappadi K.Palaniswami,
Chief Minister of Tamil Nadu,
Secretariat, Chennai - 600 009.

1 cc to MR.M.Radhakrishnan, Advocate, sr. 73121
1 cc to Government Pleader, Sr. 72603

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