

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2017

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.SUNDAR

W.P.Nos.22198 & 22347 of 2011

and

M.P.Nos.1 and 2 of 2011

W.P.No.22198 of 2011

K.Saleem

... Petitioner

-Vs-

1. The State of Tamilnadu,
rep. by the Principal Secretary to the Government,
Municipal Administration and Water
Supply (Election) Department,
Fort St. George,
Chennai-600 009.
2. The State Election Commissioner,
Chennai-600 106.
3. The Commissioner of Municipal Administration,
Chennai-600 005.
4. The Commissioner / Executive Officer,
Nellikuppam Municipality,
Nellikuppam.

... Respondents

W.P.No.22347 of 2011

M.Boopal

... Petitioner

-Vs-

1. State of Tamilnadu,
rep. by its Secretary to the Government,
Municipal Administration and Water
Supply Department,
Fort St. George,
Chennai-600 009.

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2. The Tamilnadu State Election Commission,
No.208/2, Jawaharlal Nehru Road,
CMBT, Arumbakkam,
Chennai-600 106.

3. The District Electoral Officer/
Returning Officer,
Villupuram District,
Villupuram.

... Respondents

Writ Petition No.22198 of 2011 filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus calling for the records of the first respondent relating to the Tamil Nadu Government Gazette Extraordinary publication No.311 Chennai Wednesday September 7, 2011 dated 07.09.2011 in so far as amendment 3 to the proviso to sub Rule (2) of Rule 5 of Tamilnadu Town Panchayats, Third Grade Municipalities, Municipalities and Corporations (Delimitation of Wards or Divisions and Reservation) Rules, 1996 and quash the same as ultra vires and unconstitutional and direct the first respondent to restore reservation in the Municipal election to be held on 17.10.2011 and 19.10.2011 for Nellikuppam Municipality to general category.

Writ Petition No.22347 of 2011 filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus calling for the entire records connected with the impugned order of the first respondent in G.O.(Ms) No.137 Municipal Administration and Water Supply (Election) dated 12.09.2011 and quash the same in so far as the same de-reserved the post of Chairman of the Tindivanam Municipality, Villupuram District and consequently direct the first respondent to continue the reservation to the post of Chairman of the Tindivanam Municipality for the members of the Scheduled Castes till the completion of the second full terms i.e., 2016.

For Petitioner : Mr.S.Sathia Chandran
in W.P.No.22347/2011

No appearance in
W.P.No.22198/2011

For Respondents : Mr.R.Vijayakumar
Additional Government Pleader
for R1 to R4 in
W.P.No.22198/2011 and
R1 to R3 in
W.P.No.22347/2011

COMMON ORDER

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

The learned counsel for the petitioner in W.P.No.22347 of 2011 states that the writ petitions have become infructuous, as these matters are subject matter of the decision in W.P.No.22899 of 2011, decided on 27.03.2015 (Annal Ambedkar Amaippu Saara Thozhilalar Munnetra Sangam, (Regd.No.1369/SLM), No.105/3, Kapilar Street, Salem-636 005, rep. by its President Aranga Selladurai v. State of Tamilnadu, rep. by its Secretary to Government, Municipal Administration and Water Supply Department, Secretariat, Fort St. George, Chennai-600 009 and another), which the first respondent is required to comply.

2. The writ petitions, accordingly, stand disposed of as infructuous in terms of the aforesaid order. No costs. Consequently, M.P.Nos.1 and 2 of 2011 are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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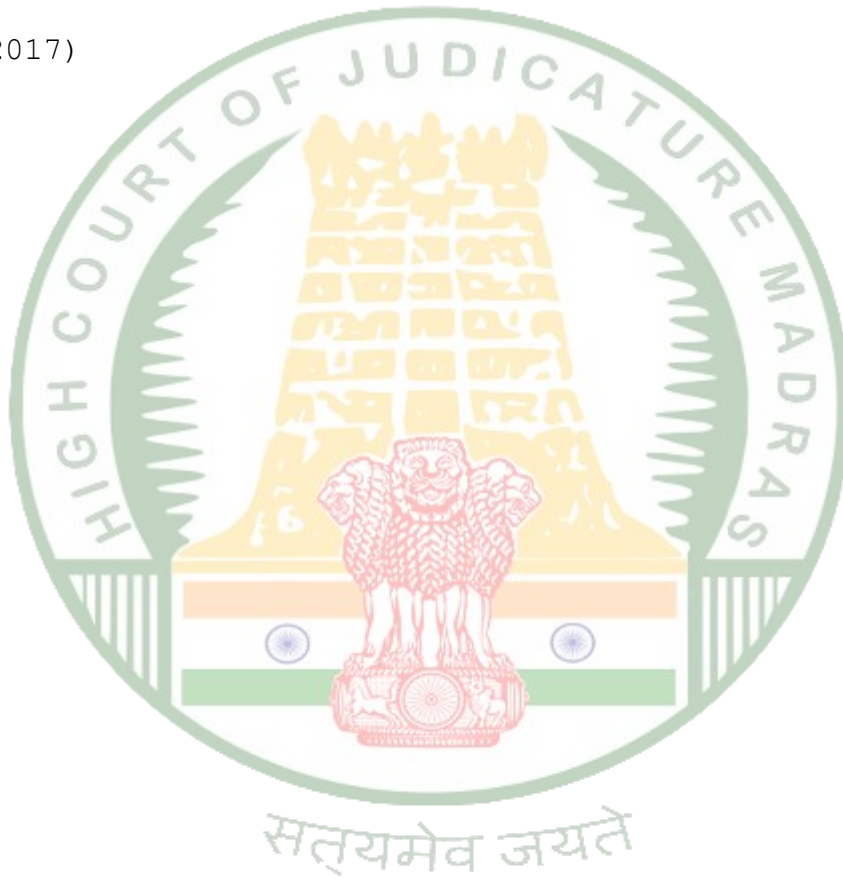
1. The Principal Secretary to the Government,
Municipal Administration and Water
Supply (Election) Department,
Fort St. George,
Chennai-600 009.
2. The State Election Commissioner,
Chennai-600 106.
3. The Commissioner of Municipal Administration,
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6. The District Electoral Officer/
Returning Officer,
Villupuram District,
Villupuram.

+1cc to Mr.S.Sathia Chandran, Advocate, S.R.No.2673
+1cc to the Government Pleader, S.R.No.2592

W.P.Nos.22198 & 22347 of 2011

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