



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.07.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.3975 of 2017 and
W.M.P. (MD) .Nos.3156 & 3157 of 2017

M.A.C.Kurrath

.. Petitioner

Vs.

1. The Assistant Secretary,
Municipal Administration and Water Supply,
Fort St.George, Chennai.
2. The Chief Election Commissioner,
Fort St. George, Chennai.
3. The District Collector,
Thoothukudi District,
Thoothukudi.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus Certiorarified, calling for the records, pertaining to the impugned order letter No.313/Election/2017-1, dated 11.01.2017 passed by the respondent No.1, dated 11.01.2017 and quash the same and consequently direct the respondents to notify and announce the wards No.1,7,12,13,18 of Kayalpattinam Municipality as reserved wards for women for the tenure between 2017-2022.

For Petitioner : Mr.K.Navaneetharaja
For First Respondent : Mr.R.Karthikeyan

O R D E R

[Order of the Court was made by G.R.SWAMINATHAN, J.]

The Writ Petitioner questions the impugned communication dated 11.01.2017 issued by the first respondent vide letter No. 313/Election/2017-1.

2.The writ petitioner had demanded that Ward Nos. 1,12,13, 17 and 18 of the Kayalpattinam municipality should be reserved Wards for women for the period between 2017-2022. The said request was negatived by the first respondent in the impugned communication. The writ petitioner claims to have filed this writ petition in



public interest, while challenging the said communication.

3. Heard the learned counsel appearing for the writ petitioner and the learned Standing Counsel for the second respondent as well as the learned Additional Government Pleader for the respondents 1 and 3.

4. In the affidavit filed in support of this writ petition, writ petitioner herself has stated that her husband is doing real estate business and that he was a Chairman of ward No.17, when Kayalpattinam municipality was a village panchayat. Thereafter it was upgraded as town panchayat and then notified as Municipality.

5. We do not see any public interest in this matter. In the present case, the learned Standing Counsel for the Election Commission stated they had followed Rule 4 of the Tamil Nadu Town Panchayats, Third Grade Municipalities, Municipalities and Municipal Corporations (Delimitation of Wards or Divisions and Reservations) Rules, 1996.

6. In view of the averments set out in paragraph 4 of the writ petitioner's affidavit, we are of the view that the writ petitioner has filed this petition to further her political career and not to espouse the cause of women.

7. In this view of the matter, we dismiss the writ petition. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To:

1. The Assistant Secretary,
Municipal Administration and Water Supply,
Fort St. George, Chennai.
2. The Chief Election Commissioner,
Fort St. George, Chennai.
3. The District Collector,
Thoothukudi District,
Thoothukudi.

+ 1 CC TO Mr.S.M.A.JINNAH, ADVOCATE IN SR No. 68102
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 68343

SSS

TE/KP/SAR-I : 24/08/2017 : 2P/6C

ORDER MADE IN
W.P. (MD) No. 3975 of 2017 and
W.M.P. (MD) Nos. 3156 & 3157 of 2017
26.07.2017