



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.07.2017

CORAM :

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

W.P(MD)No.7318 of 2017

S.Karthick

... Petitioner

vs.

1.The Secretary,
The Tamil Nadu State Election Commission,
Jawaharlal Nehru Road,
Arumbakkam, Chennai - 106.

2.The District Collector,
Thanjavur.

3.The Block Development Officer,
Pattukkottai,
Thanjavur District.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the respondents to return the deposit of Rs.600/- (Rupees Six Hundred Only) paid by the petitioner and also the the persons making deposit to the various posts of 1,31,794 belong to local bodies in the State of Tamil Nadu, within a reasonable time to be fixed by this Court.

For Petitioner : Mr.G.Kandha Vadivelan

For Respondents : Mr.M.Govindan,
Spl.Govt.Pleader for RR 1 and 2
Mr.Rajakarthikeyan for R3.

ORDER

(Order of the Court was made by K.K.SASIDHARAN, J.)

The petitioner submitted nomination for election to the post of president in Kazhugapallikadu Village Panchayat.

2.The petitioner deposited a sum of Rs.600/-with the third respondent on 30 September 2016. The nomination was accepted by the Returning Officer after scrutiny. Subsequently, the election was held on 10 October 2016. The petitioner filed a writ petition to the writ petition filed by a political party and thereafter, the election itself was cancelled by the Principal Bench of this Court.



3.The petitioner submitted a representation requesting the Returning Officer to refund the amount deposited by him. Since follow up action was not taken to refund the deposit, the petitioner filed this writ petition.

4.When the writ petition was taken up for hearing, the learned standing counsel for the Tamil Nadu State Election Commission submitted that pursuant to the direction given by the Election Commission on 21 March 2017, the Returning Officer refunded the amount to the petitioner. The instruction given by the Tamil Nadu State Election Commission vide proceedings dated 21 March 2017 indicates that a decision was taken to refund the amount to all the candidates before 31 March 2017.

5.Since the petitioner received the amount from the Returning Officer, there is no need for a factual adjudication of the issue raised in this writ petition.

6.The writ petition is closed with the above observation.
No costs.

Sd/-
Assistant Registrar(Record)

/True Copy/

Sub Assistant Registrar

To

1.The Secretary,
The Tamil Nadu State Election Commission,
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Arumbakkam, Chennai - 106.

2.The District Collector,
Thanjavur.

3.The Block Development Officer,
Pattukkottai,
Thanjavur District.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No.66987
ARUL/SKM
JS/SV/SAR.3/31.07.2017/2P-5C

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