



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : **23.08.2017**

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

WEB COPY

W.P (MD) No.19416 of 2016
and
W.M.P (MD) No.13992 of 2016

M.Muniyandi

.. Petitioner

Vs.

1.The Chief Electoral Officer,
Tamil Nadu State Election Commission,
No.208/2, Jawaharlal Nehru Road,
Opp. CMBT, Arumbakkam,
Chennai - 600 106.

2.The District Collector,
Office of the District Collector,
Ramanathapuram District,
Ramanathapuram.

3.The Tahsildar,
Paramakudi Taluk,
Ramanathapuram District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus forbearing the respondents from conducting election without including the petitioner and his family members name in the voters list as Voters for Sirakikottai Village Panchayat in Nayinarkovil Panchayat Union in Ramanathapuram District.

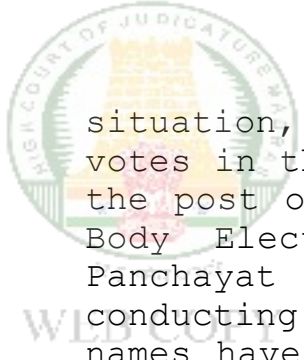
For Petitioner : Mr.S.Malaikani

For Respondents : Mr.Raja Karthikeyan,
Additional Government Pleader.

ORDER

This writ petition is filed seeking a writ of Mandamus to direct the respondents not to conduct election without including the names of the petitioner and his family members in the voters list of Sirakikottai Village Panchayat, Nayinarkovil Panchayat Union, Ramanathapuram District.

2.The case of the petitioner is that the petitioner is residing at Nedunkurichi, Vallam Post, Paramakudi Taluk, Ramanathapuram District, along with family. Due to family



situation, they are residing in different area and they are having votes in the said Village only. The petitioner also contested for the post of President of Siragikottai Village Panchayat, in Local Body Elections, 2011 and his son filed his nomination for Panchayat Ward No.9, Ramanathapuram District. While so, without conducting any enquiry and also without issuing any notice, their names have been removed from the voters list. Therefore, he made representations to the respondents 1 and 3, seeking to include their names in the voters list. But, the same have not been considered so far. According to the petitioner, since their names have not been included in the voters list, he could not file nomination for the post of President of Siragikottai Village Panchayat. Therefore, the petitioner has come up before this Court with the aforesaid prayer.

3.Today, when the matter is taken up for hearing, the learned counsel appearing for the petitioner confines his prayer only to direct that the representation dated 20.09.2016 be considered by the third respondent, for which, the learned Additional Government Pleader appearing for the respondents fairly submits that if the petitioner submits his representation along with Form - VII, the same would be considered on merits.

4.Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the petitioner to submit the representation dated 20.09.2016 once again along with Form-VII, to the third respondent within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the third respondent is directed to consider the same and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of four weeks thereafter.

5.The writ petition is disposed of as above. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

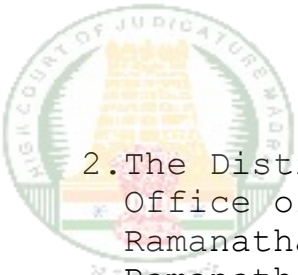
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

1.The Chief Electoral Officer,
Tamil Nadu State Election Commission,
Ves. 2018/2019, 2019/2020, 2020/2021, 2021/2022, 2022/2023
Jawaharlal Nehru Road,
Opp. CMBT, Arumbakkam,
Chennai - 600 106.



2.The District Collector,
Office of the District Collector,
Ramanathapuram District,
Ramanathapuram.

WEB COPY

3.The Tahsildar,
Paramakudi Taluk,
Ramanathapuram District.

+1cc to M/S.S.MALAIKANI, Advocate SR.No.74139

smn

MAS/SV-MMS/SAR4:04.09.2017:3P-5C

ORDER MADE IN
W.P (MD) No.19416 of 2016
and
W.M.P (MD) No.13992 of 2016
23.08.2017