

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.16247 OF 2012

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:-

“to issue order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent herein in not allowing the petitioner union to participate in the ensuing elections scheduled to be held on 28-06-2012, by filing nominations from 08-06-2012 to 11-06-2012 is illegal, arbitrary and in violation of principles of natural justice and consequently direct the 2nd respondent to allow the petitioner union to participate in the ensuing elections scheduled to be held on 28-06-2012, by filing nominations from 08-06-2012 to 11-06-2012 and pass such other order or orders as deemed fit and proper in the circumstances of the case as also directing the third respondent to supply the voters list, to the petitioner union to facilitate his participation in the elections.”

2. Admittedly, by an interim order, dated 11.06.2012, in W.P.M.P.No.20907 of 2012, the petitioner-Union was permitted to participate in the elections. The elections were over and the period for which the elections were conducted was also over. Hence, this Court is of the view that the cause in this writ petition does not survive and hence, no further orders are required to be passed in this Writ Petition.

3. When the matter is called, learned counsel for the petitioner seeks permission of this Court to file a fresh writ petition

challenging the grounds on which the respondents refused the petitioner to participate in the said elections.

4. Permission is accorded.

5. Accordingly, this Writ Petition is disposed of as infructuous granting liberty to the petitioner as prayed for. There shall be no order as to costs.

6. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

Date: 01.09.2017
AMD

JUSTICE RAJA ELANGO



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AMD