

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.03.2018

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.7094 of 2018

Karthik Kannan

...

Petitioner

- Vs -

1. Tamil Nadu State Election Commission and State Delimitation Commission,
Represented by its Member Secretary,
No.208/2, Jawaharlal Nehru Road,
Opposite to CMBT, Arumbakkam,
Chennai-600 106.
 2. The District Collector and
The Delimitation Authority,
District Collectorate,
Kancheepuram District,
Kancheepuram.
 3. The Commissioner/ the Delimitation Authority,
Pallavapuram Municipality,
Chrompet,
Chennai-600 044.
- ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus, directing the Respondents to consider the representation of the petitioner dated 10.01.2018 before finalizing the delimitation of territorial area of new ward No.30(Old Ward No.28) of Pallavapuram Municipality in accordance with the principles and criteria stipulated under the Tamil Nadu Local Bodies Delimitation Regulations 2017 and consequently revise the territorial area of the New Ward No.30 accordingly.

For Petitioner

: Mr.K.Balu

For Respondents

: Mr.B.Nedunchezeyan
Standing Counsel [For R1]
Mr.V.Shanmugasundar
Special Govt. Pleader [For R2]
Mr.P.Srinivasan [For R3]

O R D E R

Heard Mr.K.Balu, learned counsel for the petitioner, Mr.B.Nedunchezeyan, learned Standing Counsel appearing for the 1st respondent, Mr.V.Shanmugasundar, learned Special Government Pleader appearing for the 2nd respondent and Mr.P.Srinivasan, learned counsel appearing for the 3rd respondent.

2. By consent, this writ petition is taken up for final disposal.

3. The prayer in the writ petition is for issuance of writ of mandamus directing the respondents to consider the representation of the petitioner dated 10.01.2018 before finalizing the delimitation of territorial area of new ward No.30(Old Ward No.28) of Pallavapuram Municipality in accordance with the principles and criteria stipulated under the Tamil Nadu Local Bodies Delimitation Regulations 2017 and consequently, revise the territorial area of the New Ward No.30 accordingly.

4. The learned counsel for the petitioner submitted that the petitioner has sent his objections to the respondents and the 2nd respondent has forwarded the same to the 4th respondent to take necessary action. But, so far, no communication is received by the petitioner from the respondents. Hence, the petitioner has filed this writ petition before this Court.

5. The learned Standing Counsel for the 3rd respondent submitted that the representation of the petitioner would be considered in accordance with law and after conducting enquiry, the same would be forwarded to the 1st respondent.

6. In the light of the above submissions and the prayer sought for in the writ petition, this Court without going into the merits of the case, directs the 3rd respondent to conduct an enquiry with regard to the representation of the petitioner dated 10.01.2018 and send his remarks to the 1st respondent as expeditiously as possible preferably within a period of eight weeks from the date of receipt of a copy of this order. On such receipt, the 1st respondent shall pass orders on merits and in accordance with law.

7. This writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

ssn

To

1. The Member Secretary,
Tamil Nadu State Election Commission and
State Delimitation Commission,
No.208/2, Jawaharlal Nehru Road,
Opposite to CMBT, Arumbakkam,
Chennai-600 106.

2. The District Collector and
The Delimitation Authority,
District Collectorate,
Kancheepuram District,
Kancheepuram.

3. The Commissioner/ the Delimitation Authority,
Pallavapuram Municipality,
Chrompet,
Chennai-600 044.

+1cc to Mr.K.Balu, Advocate, S.R.No.23285

+1cc to Mr.B.Nedunchezhiyan, Advocate, S.R.No.23807

+1cc to Mr.P.Srinivas, Advocate, S.R.No.24000

+1cc to the Government Pleader, S.R.No.24333

W.P.No.7094 of 2018

PPA (CO)

RRK (27/04/2018)

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