

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2018
CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.4922 of 2018

M/s.Selvaganapathy Avenue Residency
Welfare Association,
Rep.by its Secretary
P.Sathish Kumar.

.. Petitioner

Versus

1.The Commissioner of
Greater Chennai Corporation,
Ripon Building, Chennai - 600 003.

2.The District Collector cum the District
Delimitation Officer,
Urban Development Section,
Collectorate, Kancheepuram.

3.The State Election Commissioner,
208/2, Jawaharlal Nehru Road,
Arumbakkam, Chennai - 600 106.

... Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, to direct the first respondent herein to consider and dispose of the objections regarding deleting certain areas in Ward No.184 and adding them to Ward No.182 and from 186 to 184 irrationally in Perungudi, Chennai for the purpose of Local Body Elections, as per the letter of the second respondent dated 30.1.2018 in Na.Ka.No.936/2018 B.C.2, requesting the first respondent to take appropriate actions on the petitioners referred to therein after providing an opportunity to the petitioner to hear the petitioner to explain the rational.

For Petitioner : Mr.M.Kalyanasundaram
Senior Counsel for
Mr.K.R.Boominathan

For Respondents : Mr.T.C.Gopalakrishnan
Standing Counsel for R1
Mr.V.Shanmuga Sundar,
Special Government Pleader for R2
Mr.B.Nedunchezian for R3

O R D E R

Mr.T.C.Gopalakrishnan, learned Standing counsel takes notice for the first respondent, Mr.V.Shanmuga Sundar, learned Special Government Pleader takes notice for the second respondent and Mr.B.Nedunchezian, learned counsel takes notice for the third respondent. By consent of the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. The prayer sought for in this writ petition is for a direction to the first respondent to consider and dispose of the objections regarding, deleting certain areas in Ward No.184 and adding them to Ward No.182 and from 186 to 184 irrationally in Perungudi, Chennai for the purpose of Local Body Elections, as per the letter of the second respondent dated 30.1.2018 in Na.Ka.No.936/2018 B.C.2.

3. Mr.M.Kalyanasundaram, learned Senior Counsel appearing for the petitioner would submit that aggrieved over the delimitation of the Ward Nos.182, 184 and 186, the petitioner has submitted the objections/ representation to the authorities on 25.1.2018. Since, it was not considered, the present writ petition.

4. The learned Senior Counsel appearing for the petitioner would further submit that the petitioner would be satisfied, if a direction is issued to the first respondent to consider the objections / representation of the petitioner, by following the procedures contemplated under the Tamil Nadu Delimitation Commission Act, 2017.

5. The learned Standing Counsel appearing for the first respondent would submit that the objections / representation of the petitioner will be considered by the first respondent in accordance with law.

6. In the light of the above submissions made by the learned counsels on either side, this Court without going into the merits of the case, directs the first respondent to consider the objections / representation of the petitioner dated 25.1.2018, on merits and in accordance with law and pass appropriate orders, within a period of six weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to all the necessary parties.

7. With the above direction, this writ petition is disposed of. However there shall be no order as to costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Commissioner of
Greater Chennai Corporation,
Ripon Building,
Chennai - 600 003.
- 2.The District Collector cum the District
Delimitation Officer,
Urban Development Section,
Collectorate, Kancheepuram.
- 3.The State Election Commissioner,
208/2, Jawaharlal Nehru Road,
Arumbakkam, Chennai - 600 106.

+1cc to Mr.T.C.Gopalakrishnan, Advocate, S.R.No.17044

+1cc to Mr.C.R.Boominathan, Advocate, S.R.No.16839

W.P.No.4922 of 2018

GMR (CO)

RRK (09/03/2018)

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