

O.A.No.1085 of 2019
in
E.L.P.No.5 of 2019

S.M.SUBRAMANIAM, J.

The Application is filed seeking permission to amend the petition in E.L.P.No.5 of 2019.

2.The learned counsel appearing on behalf of the petitioner made a submission that the substitution petition filed by the petitioner was allowed by this Court on 12.11.2019 in O.A.No.996 of 2019 and consequently the petitioner was substituted in E.L.P.No.5 of 2019. Thus, the petitioner is constrained to file the present Application seeking permission to carry out certain amendments in the pleadings, as he was not a contesting candidate and he was an Elector.

3.Thus, this Court is of the opinion that making necessary amendment is a consequential one and the same is to be considered. However, the learned counsel appearing on behalf of the first respondent raised an objection by stating that Application need not be considered, as the same was filed with delay. However, the delay raised has no relevance with reference to the substitution petition which was allowed by

S.M.SUBRAMANIAM, J.

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this Court and it is made clear by the petitioner that the substituted petitioner has not raised any new ground in the E.L.P. and only necessary amendments to correct the allegations alone will be done by the petitioner.

4.In view of the submissions, this Court is of the opinion that no prejudice would be caused in the event of allowing this Application as amendments are required pursuant to the substitution carried out in the E.L.P. Accordingly, this Application stands allowed and the petitioner is permitted to carry out all the necessary amendments without raising any new allegations and file amended petition before this Court enabling this Court to proceed with the E.L.P.

04.12.2019
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