



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD)No.5233 of 2019

and

W.M.P(MD) .Nos.4188 and 4189 of 2019

A.C.Gunaseelan

... Petitioner

Vs

- 1.The District Registrar,
District Registrar's Office,
Marthandam, Vettumani,
Kanyakumari District.
- 2.Koottalumoodu Arulmigu Badreswari Devasthanam,
Educational Service Society,
rep., by its Secretary,
Painkulam, Kanyakumari District.
- 3.The Election Officer,
Koottalumoodu Arulmigu Badreswari Devasthanam,
Educational Service Society,
Painkulam, Kanyakumari District.
- 4.T.Godwin Jeyakumar,
Election Officer,
Koottalumoodu Arulmigu Badreswari Devasthanam,
Educational Service Society,
Painkulam, Kanyakumari District. ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, to call for the records pertaining to the impugned election notification issued by the third respondent, dated 30.01.2019 and quash the same.

For Petitioner	: Mr.K.Gokul
For R1	: Mr.Murugan
	Government Advocate
For R2	: Mr.Anath C.Rajesh

ORDER

Heard the learned counsel on either side.

2. The subject matter pertains to holding of election for the second respondent/Devasthanam. This Court on 06.03.2019 had granted interim injunction because the petitioner represented that the fourth respondent/ Election Officer is a Christian. But the



Devasthanam filed a counter pointing out that the fourth respondent is professing Hindu Religion only and hence, this Court vacated the interim injunction on 15.03.2019. It is stated that the election was also held on 17.03.2019. The petitioner would allege that the election is vitiated on account of bogus membership. If that be so, the petitioner is always at liberty to challenge the election by filing a civil suit. The petitioner's rights are kept intact. It is made clear that this Court has not gone into the merits of the matter.

3. This Writ Petition is dismissed accordingly. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

rmk

To
The District Registrar,
District Registrar's Office,
Marthandam, Vettumani,
Kanyakumari District.

+1CC TO MR.K.GOKUL, Advocate Sr. No.55620
+1CC TO MR.ANANTH.C.RAJESH, Advocate Sr. No.55563
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 55950

W.P. (MD) No. 5233 of 2019
20.03.2019

TR (25.04.2019) 2P 5C