



WEB COPY

W.P(MD)No.23816 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :12.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE R.THARANI

W.P (MD) No.23816 of 2019

V.R.Ravichandran

... Petitioner

Vs.

1.The District Collector,
O/o.District Collector Office,
Madurai District,
Madurai.

2.The District Revenue Officer,
O/o.District Collector Office,
Madurai District,
Madurai.

3.The Revenue Divisional Officer/Electoral Officer,
196, Thirumangalam Constituency,
Usilampatti Division,
Madurai District.

4.The Tahsildar,
Tahsildar Office,
Kallikudi Taluk,
Madurai District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to conduct an enquiry pursuant to the complaint of the petitioner regarding inclusion/deletion of names of voters in the electoral list for K.Unnipatti Village in accordance with provisions of Section 22 and Section 23 of Representation of People Act, 1950 and the Registration of Electors Rules, 1960 within the period that may be stipulated by this Court.

For Petitioner : Mr.Mohammed Imran for
M/s.Ajmal Associates

For Respondents : Mr.A.K.Baskarapandian,
Special Government Pleader



ORDER

[Order of this Court was made by **T.S.SIVAGNANAM, J.**]

Heard Mr.Mohammed Imran for M/s.Ajmal Associates, learned counsel appearing on behalf of the petitioner and Mr.A.K.Baskarapandian, learned Special Government Pleader appearing on behalf of the respondents.

2. The petitioner by way of this Public Interest Litigation seeks for a direction upon the respondents to conduct an enquiry pursuant to his complaint with regard to inclusion/deletion of names of voters in the electoral list for K.Unnipatti Village by following the provisions of the Representation of People Act, 1950 and the Registration of Electors Rules, 1960.

3. The learned Special Government Pleader on instructions would submit that based on the complaint, a thorough verification has been done and the names of such of those voters, who were not able to show that they ordinarily reside in the said village, have been deleted. The petitioner has now come forward with the plea that certain persons are having votes in two constituencies and this according to the petitioner should be considered.

4. In our considered view, before finalising the electoral list, the authorities will have due care to ensure that there is no duplication. The authorities are directed to scrupulously scrutinise it and if at all any duplication is found at later point of time, the Election Officer is well within his jurisdiction to issue directions to ensure that the voters does not exercise their franchise in two constituencies. Therefore, at this juncture, we cannot issue a direction, but we can observe that the concerned authority shall take note of all the objections and ensure that there is no duplication in the final voters list.

With the above observation, this writ petition is disposed of. No Costs.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar (CS)



To

1.The District Collector,
O/o.District Collector Office,
Madurai District,
Madurai.

2.The District Revenue Officer,
O/o.District Collector Office,
Madurai District,
Madurai.

3.The Revenue Divisional Officer/Electoral Officer,
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4.The Tahsildar,
Tahsildar Office,
Kallikudi Taluk,
Madurai District.

1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-97703[F] dated 12/11/2019)

+1 CC to M/s.SPL GP (SR-98074[F] dated 13/11/2019)

ORDER MADE IN
W.P (MD) No.23816 of 2019
12.11.2019

_KM/ (29.11.2019) 3P 7C