



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 18.11.2019
CORAM:**

**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MRS.JUSTICE R.THARANI**

W.P. (MD) No.24298 of 2019

M.Kaleeswaran

... Petitioner

-vs-

1.The Deputy Registrar /
District Election Officer
Sivagangai District
Sivagangai

2.The Special Officer
NN 547, Thiruppuvanam Ulavar Pani
-Cooperative Loan Society Limited
Thiruppuvanam
Sivagangai District

3.The Voters List Officer
NN547, Thiruppuvanam Ulavar Pani
-Cooperative Loan Society Limited
Thiruppuvanam
Sivagangai District

4.The Election Officer
NN547, Thiruppuvanam Ulavar Pani
-Cooperative Loan Society Limited
Thiruppuvanam
Sivagangai District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to consider the objection of the petitioner dated 10.07.2019, 18.08.2019, 07.09.2019 and 13.11.2019 regarding deletion of dead members from the eligible members / voters list of the second respondent society for the ensuing election.

For Petitioner : Mr.J.Anandkumar

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



O R D E R

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

Heard Mr.J.Anandkumar, learned counsel appearing for the petitioner and Mr.A.K.Baskarapandian, learned Special Government Pleader, who takes notice for the respondents.

2. The petitioner seeks for a direction to the respondents to consider his objections dated 10.07.2019, 18.08.2019, 07.09.2019 and 13.11.2019 regarding deletion of names of dead persons from the eligible members / voters list of the second respondent Society for the ensuing election.

3. In terms of the notification issued by the Election Commission, we find that the election has been notified and process has been commenced on 11.11.2019. Therefore, we will not be justified in interdicting the election process. However, it appears that the petitioner's attempt is also not to interdict the election process, but to ensure that the dead persons' name be deleted from the eligible members / voters list.

4. We find from the records available in the typed set of papers that a wide publicity has been given calling for objection to the draft voters' list. The petitioner has also submitted a representation, in which he claims that 3000 persons are dead, yet their names find place in the voters' list.

5. The learned Special Government Pleader, referring to the reply given by the petitioner to the Secretary to the Co-operative Society, submitted that verification process is going on and as per the election schedule, the list of valid voters will be published on 19.11.2019. Further, it is submitted that the voters will be permitted to exercise their franchise only if they produce a valid identity card as stipulated, which will be a double-check mechanism to ensure that there is no impersonation or substitution of any dead person.

6. In the light of the above, the Authority shall take earnest steps to make a thorough verification within the time available and scrupulously follow the directions issued by the Election Commission.

7. Accordingly, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)



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To

- 1.The Deputy Register /
District Election Officer,
Sivagangai District, Sivagangai.
- 2.The Special Officer,
NN 547, Thiruppuvanam Ulavar Pani
-Cooperative Loan Society Limited,
Thiruppuvanam, Sivagangai District.
- 3.The Voters List Officer,
NN547, Thiruppuvanam Ulavar Pani
-Cooperative Loan Society Limited,
Thiruppuvanam, Sivagangai District.
- 4.The Election Officer,
NN547, Thiruppuvanam Ulavar Pani
-Cooperative Loan Society Limited,
Thiruppuvanam, Sivagangai District.

+1 CC to Mr.J.ANANDKUMAR, Advocate (SR-99207[F] dated 18/11/2019)
+1 CC to Spl.GP (SR-99543[F] dated 19/11/2019)

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