



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.11.2019**

CORAM:

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

**W.P(MD)NO.24665 OF 2019
and
W.M.P(MD)No.21296 of 2019**

V.K.Murugan

:Petitioner

.vs.

- 1.The Chief Election Commissioner,
Public (Elections)Department,
Secretariat,
Fort St.George,
Chennai - 600 009.
- 2.The District Collector,
Dindigul District,
Dindigul.
- 3.The Assistant Director(Town Panchayats),
Collectorate Campus,
Dindigul
- 4.The Executive Officer,
Chinnalapatti Town Panchayat,
Chinnalapatti,
Dindigul District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records of the fourth respondent in Na.Ka.No.340/2019/Th.A, dated 12.11.2019 and to quash the same as illegal and consequently direct the respondents to rectify the anomaly in the Electoral Roll of Ward No.2, Ward No.3 and Ward No.4 of Chinnalapatti Town Panchayat, Dindigul District.



For Petitioner

:Mr.R.R.Kannan

For Respondent-1

:Mr.Raja Karthikeyan

For Respondents
2 and 3

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

For Respondent-4

:Mr.G.Bhagavathy
Government Advocate

O R D E R

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

We have elaborately heard Mr.R.R.Kannan, learned counsel appearing for the Petitioner, Mr.Raja Karthikeyan, learned counsel appearing for the first respondent, Mr.A.K.Baskarapandian, learned Special Government Pleader appearing for the respondents 2 and 3 and Mr.G.Bhagavathy, learned Government Advocate appearing for the fourth respondent.

2.The main grievance of the Petitioner is that one section of voters, who are residing in E.M.S.Street have been left out while electoral roll has been prepared to Ward No.17 and the allegation is that either their names are found in Ward No.4 or in the present electoral roll and the names of those voters residing in the said street has been shown to have votes in Ward No.2. It would not be necessary for us to go into the controversial issue which the Petitioner has now challenges before this Court. Final Voters list which has been published after delimitation process was completed. The Petitioner, except himself, no voters who precisely appear to be a resident of that area have approached this Court, because according to the Petitioner, he himself is a political person and 118 votes are eligible to be polled in Ward No.2. The Petitioner has not submitted any objection at the appropriate time and at this juncture, after delimitation exercise has been completed and the final voters list has been published, the Petitioner cannot come forward with a prayer sought for in the Writ Petition, that too, only for himself and that the other 118 voters are not the Petitioners in this Writ Petition. At this juncture, this Court is not inclined to interfere with the matter when the final voters list was completed. Further, there is no complaint from anybody that the name of a particular voter is missing in the voters list.

3.For the above reasons, we cannot interfere with the impugned order passed by the fourth respondent and thus the Writ Petition fails.



4. Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is dismissed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

vsn

To

1. The Chief Election Commissioner,
Public (Elections) Department,
Secretariat,
Fort St. George,
Chennai - 600 009.

2. The District Collector,
Dindigul District,
Dindigul.

3. The Assistant Director (Town Panchayats),
Collectorate Campus,
Dindigul

4. The Executive Officer,
Chinnalapatti Town Panchayat,
Chinnalapatti,
Dindigul District.

+1 CC to M/s. RR. KANNAN, Advocate (SR-100246[F] dated 21/11/2019)

+1 CC to M/s. RAJA. KARTHIKEYAN, Advocate (SR-100477[F] dated 22/11/2019)

+1 CC to M/s. GP (SR-100548[F] dated 22/11/2019)

ORDER MADE IN
W. P (MD) NO. 24665 OF 2019
and
W. M. P (MD) No. 21296 of 2019
21.11.2019