



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 02.12.2019**

**CORAM:**

**THE HONOURABLE MR.JUSTICE M.DURAI SWAMY  
AND**

**THE HONOURABLE MR.JUSTICE T.RAVINDRAN**

**W.P(MD)No.25638 of 2019**

**and**

**W.M.P(MD)No.22200 of 2019**

S.Vairavan

... Petitioner

Vs.

- 1.The State Election Commissioner,  
Tamil Nadu State Election Commission,  
208/2, Jawaharlal Nehru Road,  
Opp to Koyambedu Bus Stand,  
Arumbakkam,  
Chennai - 600 106.
- 2.The Additional Chief Secretary,  
Rural Development and Panchayat  
Raj Department,  
Government of Tamil Nadu,  
Fort St. George,  
Chennai - 600 009.
- 3.The Additional Chief Secretary,  
Adi Dravidar and Tribal Welfare Department,  
Fort St. George,  
Chennai - 600 009.
- 4.The District Collector,  
Kanyakumari District,  
At Nagercoil.
- 5.S.Rajan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents 1 to 4 from allowing the converted Christians and Muslims to contest the elections in the State of Tamil Nadu by using their social status as Schedule Caste and Schedule Tribe in the reserved constituencies and the wards in the local bodies in the State of Tamil Nadu and consequently direct the first respondent to conduct the forthcoming



local body elections by strictly following Articles 341 and 342 of the Constitution of India for the reserved Wards, Panchayat and Local Body Election based on the petitioner's representation dated 03.07.2019 within the period stipulated by this Court.

For Petitioner : Mr.Ananth C.Rajesh  
For R - 1 : Mr.Raja Karthikeyan  
For RR 2 to 4 : Mr.K.Chellapandian,  
Additional Advocate General.  
Assisted by  
Mr.A.Muthukaruppan,  
Additional Government Pleader.

**ORDER**

(Order of the Court was made by **M.DURAISWAMY, J.**)

The petitioner has filed the above Writ Petition as Public Interest Litigation to issue a Writ of Mandamus, forbearing the respondents 1 to 4 from allowing the converted Christians and Muslims to contest the elections in the State of Tamil Nadu by using their social status as Scheduled Caste and Scheduled Tribe in the reserved constituencies and the wards in the local bodies in the State of Tamil Nadu and consequently direct the first respondent to conduct the forthcoming local body elections by strictly following Articles 341 and 342 of the Constitution of India for the reserved wards, panchayat and local body election based on the petitioner's representation dated 03.07.2019 within a time frame.

2.It is the case of the petitioner that the fifth respondent by obtaining bogus Community Certificate was contesting the local body elections and therefore, the authorities, namely respondents 1 to 4, should prevent such activities being done by any of the candidates who are contesting the local body elections in the forthcoming local body elections.

3.Mr.K.Chellapandian, learned Additional Advocate General appearing for the respondents 2 to 4 submitted that the petitioner's representation dated 03.07.2019 was considered by the authorities and communication dated 13.08.2019 was sent to him stating that the authorities were directed to scrutinize the Community Certificates issued to the candidates and if the Community Certificates are found to be bogus, the nominations filed by the candidates would be rejected. The learned Additional Advocate General further submitted that the Election Commission had also issued the local body notification today and as per the said notification, the local body elections are to be held on 27.12.2019 and 30.12.2019.

4.On a perusal of the communication dated 13.08.2019, it is clear that the authorities have acted upon the representation given



by the petitioner and also given suitable directions to the concerned officers for scrutinizing the Community Certificates.

5.In view of the reply sent by the fourth respondent dated 13.08.2019, we do not find any reason to pass any further orders in this Writ Petition.

6.Accordingly, this Writ Petition is dismissed. No costs. consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

To

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- 3.The Additional Chief Secretary,  
Adi Dravidar and Tribal Welfare Department,  
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Chennai - 600 009.
- 4.The District Collector,  
Kanyakumari District,  
At Nagercoil.

+1 CC to M/s.Special Government Pleader ( SR-103164[F] 03/12/2019 )  
+1 CC to M/s.ANANTH C.RAJESH, Advocate ( SR-102894[F] 02/12/2019 )

**W. P (MD) No.25638 of 2019**

**02.12.2019**

ps

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