

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2020

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MRS.JUSTICE R.HEMALATHA

W.P.No.1368 of 2020

V.Ramesh @ Mohanji PMV ... Petitioner

Vs

- 1.The State of Tamil Nadu
Rep. by its Chief Secretary, Secretariat,
Chennai 600 009.
- 2.The Chief Election Officer,
General Election Department, Secretariat,
Chennai 600 009.
- 3.The Commissioner,
Tamil Nadu Election Commission,
No.208/ 2, Jawaharlal Nehru Salai,
Arumbakkam, Chennai 600 106.
- 4.The Chief Secretary,
State Commission for Disabled State and
Training Campus,
Jawaharlal Nehru Salai,
K.K.Nagar, Chennai 600 678.
- 5.The Deputy Chief Election Officer and
Government Deputy Secretary General
(Election-3) Department, Secretariat,
Chennai 600 009.
- 6.The Director,
Town Panchayat kuralagam, Chennai 600 108. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus Directing the respondents to provide 3 percent reservation to the handicapped / disabled people in all General elections by

enacting a special provision / law and by considering the petitioner's representation dated 29/11/2016.

For Petitioner .. Mr.M.Elango

For Respondents .. Mr.V.Jayaprakash
Narayanan,

Government Pleader
for RR1, 4 and 6

Mr.Niranjan Rajagopalan
for RR2, 3 and 5

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ORDER

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

The petitioner has filed this writ petition seeking a direction to the respondents to provide 3 percent reservation to the handicapped/ disabled people in all General elections by enacting a special provision/ law and by considering the petitioner's representation dated 29.11.2016.

2. The learned counsel appearing for the petitioner submitted that the 3rd respondent - Commissioner, Election Commission of Tamil Nadu and the 4th respondent - State commission for Disabled, State and Training Campus, K.K.Nagar, Chennai, have sent the requests made by the petitioner by their letter in O.Mu.9312-1/2016/Complaint Section dated 07.12.2016 and Na.Ka.No.28/Ma.The.Na-3(1)/2016 dated 08.02.2017 respectively.

3. The learned counsel Government Pleader appearing for the respondents 1, 4 and 6 submits that no legal right is available to the petitioner. The prayer as sought for is vague and comprehensive. The Union of India has not been made as a party.

4. No writ of mandamus could be issued directing the Legislative to undertake the process of making an enactment. This position is being settled, we need not reiterate the same again. However, two authorities have already forwarded the papers to the 1st respondent as aforesaid. Therefore, without expressing anything on merits including the maintainability of the prayer as sought for which obviously, we only call upon the 1st respondent to dispose of the aforesaid communications within a period of eight weeks from the date of receipt of a copy of this order. We pass this order only for the purpose of

informing the petitioner about the stand of the 1st respondent.

This writ petition stands disposed of accordingly with the above directions. No costs.

Sd/-
Assistant Registrar(CS-III)

//True copy//

Sub Assistant Registrar

raa/kmk

To

- 1.The Chief Secretary, Secretariat, Government of Tamil Nadu, Chennai 600 009.
- 2.The Chief Election Officer, General Election Department, Secretariat, Chennai 600 009.
- 3.The Commissioner, Tamil Nadu Election Commission, No.208/ 2, Jawaharlal Nehru Salai, Arumbakkam, Chennai 600 106.
- 4.The Chief Secretary, State Commission for Disabled State and Training Campus, Jawaharlal Nehru Salai, K.K.Nagar, Chennai 600 678.
- 5.The Deputy Chief Election Officer and Government Deputy Secretary General (Election-3) Department, Secretariat, Chennai 600 009.
- 6.The Director, Town Panchayat kuralagam, Chennai 600 108.

+1cc to Government Pleader SR.No.26479

W.P.No.1368 of 2020

SKS (CO)
GMY (28/08/2020)

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