

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.14988 of 2020

and WMP.No.18646 of 2020

1 B.Senthilkumar
2 R. Sundarrajan
3 A.Mathivanan
4 R.Ravi
5 X.Arockya Santha Rani
6 S.Stella
7 L. Manjari
8 B.Radha ...Petitioners

Vs

1 The Tamilnadu State Election Commission
Rep by its Secretary,
No. 208/2 Jawaharalal Nehru Road,
Opp. CMBT Arumbakkam, Chennai 600 106.
2 The District Collector / Returning officer,
First floor. Collectorate,
Sivganga 630 562. ...Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus, directing the 1st Respondent to notify a date for conducting election to the post of Chariman and Vice Chairman of Sivaganga District Panchayat accepting the recommendation of the 2nd Respondent vide proceedings dated 21.07.2020 and 08.09.2020 and consequently direct the 2nd Respondent to conduct elections to the said posts within a time frame to be fixed by this Honble Court.

For Petitioner : M/s.P.Wilson Associates

For Respondents : Mr.B.Nedunchezian R1
Standing Counsel
Mr.E.Balamurugan R2
Special Government Pleader

O R D E R

This Court passed the following order on 28.10.2020:-

'Mr.B.Nedunchezian, learned counsel takes notice for the 1st respondent. Mr.E.Balamurugan, learned Special Government Pleader takes notice for the 2nd respondent.

2. This Writ Petition has been filed to direct the 1st respondent to notify a date for conducting election to the post of Chairman and Vice-Chairman of Sivaganga District Panchayat. It is seen from the records that the 2nd respondent through his proceedings dated 21.07.2020 and 08.09.2020 has already submitted his recommendation for conducting the election. The grievance of the petitioner is that the 1st respondent is not notifying the date and it is being postponed time and again.

3. Mr.B.Nedunchezian, learned counsel appearing on behalf of the 1st respondent sought for some time to inform this Court regarding the date to be fixed for conducting the election.

4. The learned counsel for the petitioner is directed to serve the papers immediately on the counsel appearing on behalf of the respondents.

5. Post this case under the caption 'for admission' on 10.11.2020.'

2. Mr.Nedunchezian, learned counsel appearing on behalf of Tamil Nadu State Election Commission submitted that the Election Commission will notify the elections within a period of two weeks from today. The learned counsel submitted that this undertaking given by the first respondent Election Commission can be recorded.

3. The undertaking given by the first respondent is hereby recorded and it is made clear that the Election Commission will notify the date of election within a period of two weeks from today and thereafter, proceed to conduct the election.

4. This Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

To

1.The Tamilnadu State Election Commission
Rep by its Secretary,
No.208/2 Jawaharlal Nehru Road,
Opp.CMBT Arumbakkam, Chennai 600 106.

2.The District Collector / Returning officer,
First Floor. Collectorate,
Sivganaga 630 562.

+1cc to Mr.B.Nedunchezhan Advocate, S.R.No. 37118

+1cc to Mr.P.Wilson Associates Advocate, S.R.No. 36780

+1cc to the Government Pleader, S.R.No. 36963

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SRA (CO)
RMP (15/12/2020)

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