



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.01.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MR.JUSTICE T.RAVINDRAN

W.P(MD)No.64 of 2020

S.M.K.Balakrishnan

... Petitioner

Vs.

1.The District Collector cum
The District Election Officer,
Collectorate,
Dindigul.

2.The Assistant Election Officer,
Kavunji Post,
Mannavanoor,
Kodaikanal,
Dindigul District.

3.The Block Development Officer,
Kodaikanal,
Dindigul District.

4.Menaka

5.Thillainayagam

6.Muthulakshmi

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Declaration to declare the election conducted on 30.12.2019 for Ward Members in Ward Numbers 7 to 9 in Kavunji Village, Mannavanoor Panchayat, Kodaikanal, Dindigul District, is not valid and direct the first respondent to restore the 9th Ward into Mannavanoor Panchayat from Poondi Panchayat and to conduct re-election for Ward Members.

For Petitioner : Mr.N.Mohan

For Respondents : Mr.K.Chellapandian
Additional Advocate General
assisted by
Mr.VR.Shanmuganathan
Special Government Pleader for
R.1 to R.3



ORDER

[Order of the Court was made by **M.DURAISWAMY, J.**]

The petitioner has filed this writ petition seeking to issue a Writ of Declaration to declare the election conducted on 30.12.2019 for Ward Members in Ward Numbers 7 to 9 in Kavunji Village, Mannavanoor Panchayat, Kodaikanal, Dindigul District, is not valid and direct the first respondent to restore the 9th Ward into Mannavanoor Panchayat from Poondi Panchayat and to conduct re-election for Ward Members.

2. It is a case of delimitation and this Court has already decided that so far as the issue of delimitation is concerned, the same cannot be adjudicated in a writ petition under Article 226 of the Constitution of India in view of Article 243(O) of the Constitution of India. That apart, the election to the Rural Local Bodies was already over and the results were also published and the successful candidates have taken oath on 06.01.2020.

3. In these circumstances, the relief sought for in this writ petition has become infructuous and accordingly, this writ petition is dismissed as infructuous. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

rsb

To

1.The District Collector cum
The District Election Officer,
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2.The Assistant Election Officer,
Kavunji Post,
Mannavanoor,
Kodaikanal,
Dindigul District.



3.The Block Development Officer,
Kodaikanal,
Dindigul District.

+1 CC to SPL.GP (SR-987[F] dated 09/01/2020)

+1 CC to MR.RAJA.KARTHIKEYAN, Advocate (SR-931[F] dated
08/01/2020)

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KM/ (21.01.2020) 3P 6C